

Transcripts of Verbal Comments

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City of Santa Cruz
and
Soquel Creek Water District

Public Comments Re:
Draft Environmental Impact Report for the Proposed
scwd2 Regional Seawater Desalination Project

Date: June 3, 2013
Time: 1:00 p.m.
Place: The Seacliff Inn
7500 Old Dominion Court
Aptos, California 95003
Reported by: Patricia Goulet,
Certified Shorthand Reporter,
License Number 8315

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1 Aptos, California June 3, 2013

2 PROCEEDINGS

3 (Following the presentation, the following
4 comments from the public were had:)

5 MR. COLWICK: Now, just for quick tips for
6 folks. We really want to hear from you specific
7 information about the adequacy and the information
8 and the analysis that's in the document, so we
9 really would like you to focus comments on the
10 purpose and need or the project description, the
11 assessment of the environmental impacts, the
12 findings, and also mitigation measures or
13 environmental design features that are noted in the
14 document.

15 As Ann just mentioned, the alternatives,
16 evaluating the detail, and the alternatives
17 evaluated overall. Also anything in the document,
18 we certainly are looking for comments. The more
19 specific, the more detail, the more factual, the
20 better. That allows us to respond to the specifics
21 rather than generalities. Always better within this
22 technical type of information.

23 And then finally, the comments that are
24 received and responded to could lead to a variety of
25 steps. It could lead to additional consideration of

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1 new or additional information. It could lead to
 2 additional analysis in order to respond to those
 3 comments completely. It could lead to project
 4 refinements, or it could lead to changes in the
 5 Draft EIR. But ultimately all of those responses
 6 and the Final EIR will be released around the end of
 7 the year.

8 MS. SENSEVERO: Or early next year.

9 MR. COLWICK: Or early next year. So
 10 depending on how many comments we get, and how
 11 detailed they are.

12 And then again, before we forget, we begin
 13 the comment period, I just want to remind folks.
 14 Speaker cards. We're giving everyone two minutes so
 15 that everything is equal. There's no sharing of
 16 time --

17 AUDIENCE: Three.

18 MR. COLWICK: Everyone's paying attention.
 19 Wonderful.

20 All right. So yes, three minutes will be
 21 provided. I'll have a stop watch up here. We'll
 22 have one minute, or 30 second reminders for folks to
 23 kind of help you guys at the podium. We have a
 24 podium set up in the middle of the walkway here, so
 25 I'll call probably two names, so the person can come

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1 up, the next person can kind of get prepared, and
2 then we'll start the three-minute comment period.

3 And, again, please, everyone has their own
4 perspective, their own opinion on the matter, but we
5 really ask that you respect everyone's time and
6 everyone being here and everyone's opinion, so we do
7 ask for no outbursts or anything of the nature.

8 And with that, I will grab my comment
9 sheets here. I've got a speaker card. The first
10 one is Kirby Fosgate, and after Kirby, Steve Newman.

11 MR. FOSGATE: Hello. I am Kirby Fosgate.
12 And it was about three years ago I made a statement
13 concerning the same thing. I just wanted to follow
14 up on it from the scoping meeting.

15 And I've been a resident of Santa Cruz
16 County since 1973, and am now a resident of
17 Santa Cruz City. And I'm here today to comment on
18 the EIR with a little side note, it's probably going
19 to drive Chris wild, but here it comes.

20 I believe that it's important to contrast
21 and compare things in life and to learn from others.
22 It just makes life that much more better to look at
23 things in a -- things not in a vacuum, but just from
24 your point of view. So my request is, therefore, to
25 look at a past EIR for a desalination operation in a

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1 city and municipal water district very similar to
2 ours, and contrast it with our present EIR proposal.

3 This is the EIR, and the eventual
4 construction of a desal plant a number of years ago
5 in the city of Santa Barbara, and Santa Barbara has
6 one major resource, water source groundwater such as
7 Santa Cruz. And the only local water supply there
8 is the same if not -- their water supply is the same
9 if not worse when it comes to drought.

10 They have Lake Cachuma, we have
11 Loch Lomond. And to make a long story generally a
12 little bit shorter, to make it part of the public
13 record for residents within the Soquel Water
14 District that might not know about this, is that the
15 desal plant in Santa Barbara was never used and was
16 decommissioned, and I believe it's still being paid
17 for by the taxpayers.

18 So my hope is that this EIR that we're
19 looking at now, which I never saw a consideration of
20 in the EIR, they take into account the Environmental
21 Impact Report that Santa Barbara did, that I can't
22 find any information on. Of a similar prospect, so,
23 please, do not try and reinvent the wheel in
24 Santa Cruz here when it may have already been
25 reinvented in Santa Barbara and it turned out to be

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1 square.

2 So thank you very much. And I hope I'm
3 not going to be here with a big long beard in three
4 more years talking about Santa Barbara and
5 Santa Cruz. No disrespect.

6 Thank you.

7 MR. COLWICK: Thank you.

8 Steve Newman, followed by Gary Miles.

9 MR. NEWMAN: Hello. I'm Steve Newman.

10 I've been a Santa Cruz resident for 28 years. I'm a
11 desal skeptic because I think it's better to live
12 within the limits imposed by nature than to resort
13 to extreme force to get more and more out of her.
14 But I'm not rigid on this. I have an open mind. So
15 I've followed this issue. So far, I'm not convinced
16 that desal is necessary.

17 As one of the people whose vote is going
18 to determine whether or not there will be a desal in
19 Santa Cruz, it's important for somebody to answer
20 these questions that I have.

21 Number one, what are dire consequences if
22 we don't have desal? Lawns will die, toilets will
23 be flushed less, cars washed with a bucket instead
24 of a hose. I've been here 28 years and seen us get
25 through droughts without a desal plant. Droughts

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1 are temporary. We can get through them by using
2 less water. It might be convenient but --
3 inconvenient, but so is a desal plant.

4 What is a desal plant going to be doing
5 during the years when there's no drought? I need
6 convincing that this is not about something other
7 than just surviving droughts.

8 Two, what impact would a desal plant have
9 on a neighborhood? Why do it on West Cliff Drive or
10 a place that locals and tourists go to to enjoy
11 nature? Why put a noisy pumping station in a
12 residential neighborhood? Does any desal exist in
13 residential neighborhoods, or will this be the first
14 ever? If some exist, let's have a look at them.
15 The water district should point to some examples
16 that we can examine.

17 Three, the devil's in the details. What
18 are the details of this project? Who is going to
19 build it? Have bids been sought and submitted? Who
20 are the companies? What is their track record?
21 Have they ever built one in a residential
22 neighborhood? On what is the cost estimate based?
23 What if it goes over budget? Is there any limit or
24 is cost open-ended? How noisy is the plant going to
25 be? And not just say, noise will be mitigated. Say

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1 how many decibels. What is the decibel meter going
2 to read outside of one of these places?

3 When we vote, are we going to vote simply
4 yes or no to desal, or will some details be included
5 in the vote? Is a yes vote a blank check to build
6 any kind of plant anywhere at any cost?

7 And four, what if the voters do vote no?
8 What plans does the water district have for dealing
9 with the water supply and the problems that they are
10 concerned about if the vote is no? Does it have any
11 plans?

12 We should know what -- if they, if the
13 vote is no, what are exactly the desal plans? We
14 should know what alternatives we are voting on.

15 I look forward to seeing a response to
16 these questions and seeing them addressed in the
17 final EIR. I'm sure many people besides me need the
18 answers to these before voting yes or no on desal.

19 Thank you.

20 MR. COLWICK: Thank you.

21 The next speaker is Gary Miles, followed
22 by Tom Manheim.

23 MR. MILES: My name is Gary Miles. My
24 wife Peggy and I have lived at 220 Stockton Avenue
25 on the west side of Santa Cruz for 42 years. For

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1 today we have three sets of questions that are site-
2 specific.

3 One, the Draft EIR identifies the southern
4 end of Natural Bridges Pacific Collegiate School
5 ground as a site for a proposed pumping station,
6 SI-16, and variously characterizes the site as
7 community facilities and public facilities.

8 Figure 5.42A is a color-coded map that
9 identifies site SI-16 as public institutional and
10 public facilities. Figure -- sorry -- and
11 immediately adjacent areas as industrial and
12 commercial mixed use.

13 Although this figure does identify some
14 areas of the city as single-family residential,
15 strangely it does not so identify any of the areas
16 around SI-16.

17 Are you aware that the inland end of
18 Stockton Avenue lies within about 45 feet of this
19 proposed site? And that this block alone is home to
20 13 children under 13, children whose parents chose
21 this location because of its quietness and its
22 accessibility to the adjacent school ground. Are
23 you aware that the proposed site abuts neighborhoods
24 to the immediate west and south, and is close to an
25 additional neighborhood just across the school

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1 parking lot to the east?

2 Two, the EIR discussion of noise levels
3 for the SI-16 pumping station makes no mention of
4 prevailing weather in this neighborhood, early
5 morning fog and light breezes followed by clearing
6 and strong west, northwest winds. Such winds would
7 deflect, and I use that word advisedly, would
8 deflect any sounds from the pumping station to
9 residential areas in the south and east. Have these
10 winds been taken into consideration? Would
11 redirection of above-grade exhaust fans, quote, away
12 from sensitive areas be an effective mitigation in
13 the face of these frequent strong winds?

14 Another special mitigation that the EIR
15 suggests for noise abatement is an external berm,
16 earthen berm. Is there space in the 30 feet or so
17 between the southern end of the proposed station and
18 the southern end of the school property to build an
19 earthen berm of sufficient height as to contain
20 noise from exhaust fans and transformers that must
21 be located above grade? Would it be effective in
22 the face of our winds?

23 Finally, the EIR contains various generic
24 references to special mitigations such as those
25 mentioned above that are not currently incorporated

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1 into the design process but might be incorporated at
2 a later date. Could mitigations necessitated to
3 meet current legal requirements be waived on the
4 grounds that they are not feasible as qualified on
5 two of your initial -- two of your slides already,
6 for example. Is there any actual evidence that they
7 would be effective? What happens if no effective
8 mitigations can be found?

9 Thank you.

10 MR. COLWICK: Thank you.

11 The next speaker is Tom Manheim, followed
12 by Cherie Bobbe.

13 MS. BOBBE: That's close.

14 MR. MANHEIM: I'm Tom Manheim, a resident
15 of the City of Santa Cruz. I moved to Santa Cruz in
16 1976 just in time for the worst drought that this
17 area's ever experienced, which was a very scary
18 time.

19 I'd like the following three comments
20 addressed in the Final EIR. First, the Draft EIR
21 does not adequately state the extent to which the
22 desalination plant is environmentally superior
23 because it improves the saline content of the
24 discharge from the city's sewage treatment plant
25 with which it will be blended to more closely match

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1 the seawater into which it is discharged.

2 Further, the Draft EIR overstates the
3 opportunities for conservation because it does not
4 adequately consider the conservation baseline study.
5 The opportunities for conservation are far less than
6 previously known due to the success of our
7 conservation programs to date.

8 In short, the positive environmental
9 impacts are greater than those stated in the Draft
10 EIR, and the EIR should be corrected to reflect the
11 reduced potential for savings through conservation.

12 Finally, the Draft EIR does not adequately
13 address the projected economic impacts that would
14 result from the City no project alternative.
15 Specifically, it does not adequately consider the
16 consequences of business closure and unemployment on
17 City revenues, and on the City's ability to
18 adequately provide basic health and safety services.

19 Between the likely reductions caused by
20 both the habitat conservation plan and seawater
21 contamination in the belt's Live Oak wells, the City
22 faces the likelihood of peak seasons shortages every
23 three years, with the worst of those shortages
24 requiring summertime water use reductions from 37 to
25 68 percent. As these shortages are projected to

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1 occur every 14 years, we need to know what the
2 economic consequences would be. The Draft EIR notes
3 that restaurants and retailers would experience
4 revenue losses approaching catastrophic levels, some
5 hotels and motels would close down permanently. The
6 average revenue losses across all businesses would
7 exceed 30 percent.

8 And I'd just like to note that a 30
9 percent loss of the City's general fund revenue
10 would be approximately \$14 million annually.

11 The Draft EIR does not adequately address
12 the consequences of the City's loss of 30 percent of
13 its general fund tax revenues. The Final EIR should
14 be revised to more adequately describe the impacts
15 of this revenue loss on City services.

16 MR. COLWICK: Thank you.

17 Cherie, followed by Arthur Wood.

18 MS. BOBBE: Thank you.

19 My name is Cherie Bobbe. I'm an Aptos
20 resident. I'm going to discuss an area that is in
21 section 6 of the EIR, which is growth. It's a
22 pretty amorphous, difficult to understand area
23 because of the General Plan, and you know there's
24 going to be future growth, et cetera. But I have
25 some comments about what the EIR had to say about

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1 it.

2 And in section 6 at page 37 it's stated,
3 cumulative development and growth would result in
4 significant cumulative water impacts. And whether a
5 project indirectly or directly supports growth and
6 development presents significant impacts, as well.
7 This EIR states that desal would not directly
8 support growth, but according to the document, it
9 will indirectly support growth.

10 Under CEQA, the statute clearly states in
11 Section 15126.2, subsection D, that indirect
12 fostering of growth is no less an impact than
13 something that directly supports growth.

14 This EIR concludes that desal indirectly,
15 this is the words out of the document, indirectly
16 supports growth, but says maybe that's okay because
17 this growth that it does indirectly support is
18 already within the population and development
19 guidelines of AMBAG and the State. And, secondly,
20 whatever that future growth is, no problem,
21 conservation will cover it.

22 Well, on your chart there and on the
23 handout it says there's no direct or indirect
24 supporting of growth. But in your section, it
25 specifically and clearly says it does indirectly

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1 support growth. So I guess I'm wondering, did your
2 mind change between writing the document and posting
3 the chart? And I don't mean that to be snide. I'm
4 very serious about this. I don't understand how on
5 that chart you can say there's not indirect support
6 of growth and in your document there is, and then
7 you explain why that's not a problem.

8 You know, indirect support is, if you look
9 at it and apply the rule of reason, as CEQA
10 requires, that is aiding and abetting a crime.
11 You're no less culpable, and desal will aid and abet
12 the crime of unfettered growth.

13 Thank you.

14 MR. COLWICK: Thank you.

15 Arthur Wood, followed by Susan Reddington.

16 MR. WOOD: Hi. My name is Arthur Wood and
17 I've lived in Santa Cruz for, I think, 38 years now.
18 And I, too, would like to address one issue on
19 growth, and that is on the west side is right now
20 experiencing a very large growth in development of
21 restaurants, shops, and things like that. I hope
22 that the Environmental Impact Report will address
23 those issues. If there's a desal plant in the
24 middle of all this area where there's shops and
25 commerce coming in, I hope that is addressed.

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1 The other thing I'd like to be sure that's
2 addressed is the groundwater that exists now in a
3 field where the plant is proposed on the lower PCS.
4 It's a gymnasium and that pretty much all year
5 round, I live on the end of Merced, we have water in
6 the street. This year is not so much, previous
7 years it's been continuous. Every morning all
8 summer long the gutters will be wet and then dry as
9 the sun comes up. I'd like to see this developed as
10 an alternative, or at least looked at as an
11 alternative, and also that it's taken into
12 consideration when they build it, if they build it,
13 how much is this going to add to the cost of
14 building a plant right there dealing with the
15 existing groundwater that's there now.

16 Two years ago when we had a severe
17 rainstorm, I actually had a stream bubble up in the
18 middle of my back yard, and my next-door neighbor
19 had one bubble up in the middle of his house. So
20 there's a lot of water there. It should either be
21 used for landscaping or at least be addressed in the
22 construction of the plant.

23 Thank you.

24 MR. COLWICK: Great. Thank you.

25 AUDIENCE MEMBER: Somebody left this. Is

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1 that yours?

2 AUDIENCE MEMBER: I was going to pick it
3 up later.

4 AUDIENCE MEMBER: Oh, okay. Sorry.

5 MR. COLWICK: So Susan Reddington,
6 followed by Bill Malone.

7 MS. REDDINGTON: I've lived in Santa Cruz.
8 I moved to Santa Cruz in 1982 during all the rain,
9 so I didn't get that drought in the '70s, but we had
10 a lot of rain in '82 and '83, and there's always a
11 cycle of rain that always occurs with drought.

12 I'm going to be very quick because I have
13 a very small concern which, unfortunately, I guess
14 has been sort of growing as I've been hearing other
15 people speak, but I live on the west side and I have
16 a major concern about putting a pumping station in a
17 school playground. I'm over there a lot, and
18 there's kids just playing lacrosse and soccer, kids
19 go to school there. I just can't imagine it.

20 And the poor people that live there. It's
21 a residential area. And I was very surprised that
22 the sign, the public notice sign is on the gate that
23 goes in from Stockton with a tree and a bush
24 covering it. You can't even see it from the road.
25 And once I did see it, because I go through that

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1 gate every day, the map was unreadable. Somebody, a
2 neighbor had to tell me that this is what was going
3 to happen.

4 I also don't think that there should be a
5 pumping station on the corner of Merced and West
6 Cliff, because I just can't imagine something
7 industrial and noisy like that being on West Cliff
8 Drive. My major concern would be the noise.

9 I mean, the poor west side. We have to
10 deal with that train, you know, and to have a
11 pumping station, too, and all sorts of other growth
12 happening, we just don't need it.

13 Thanks.

14 MR. COLWICK: Thank you very much for your
15 comments.

16 Bill, followed by Jim Dixon.

17 MR. MALONE: Good afternoon. My name is
18 Bill Malone, and I heard somebody earlier say they
19 were a desal skeptic, and I guess I would have to
20 put myself in that category, too.

21 I'm a desal skeptic. And I think there
22 are better alternatives. I live in the City of
23 Santa Cruz. I'd like to talk to a couple of
24 subjects. The first one is carbon neutral goals,
25 and specifically the costs. I think it's, of

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1 course, a great idea to have it carbon neutral, it
2 has to be, and one of the goals was to calculate the
3 amount of energy required for the proposed project,
4 and the second goal was to identify options to meet
5 the greenhouse gas mitigation goals, including
6 making the project carbon neutral. These are good
7 goals. We must do those.

8 I did not see the details of these goals
9 in the EIR. They may have been there, but I wasn't
10 able to find them, so maybe I can follow up and try
11 to find them if they're in there. So I have some
12 specific questions on this.

13 How many days a year will a desal plant be
14 used during a drought? How many days a year will it
15 be used by Soquel Creek in other years? That is,
16 will it be all 365 days a year? Half the year?
17 What do you plan?

18 And how much energy will be used on
19 typical days? How much in a typical year? What is
20 the cost of the energy to run the plant? What is
21 the cost of the energy offset, the dollar cost. I
22 assume it's not free.

23 And let's see. Oh, there's been talk
24 about using solar energy. What will that cost? How
25 big an area will be needed for the panels? Is it

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1 I like one football field, ten football fields, 20,
2 50, how many, or do you have to count it in acres?
3 I think that's going to be pretty large.

4 What will -- will all the energy offset be
5 in Santa Cruz County? It should be. We should not
6 cop out by saying we're going to buy some trees in
7 the Amazon rainforest. The EIR should give us some
8 scenarios on these subjects so we can discuss them.

9 The second subject I'd like to talk about
10 is supply, the supply problem, or storage problem.
11 I was on the water commission several years ago and
12 I remember hearing Santa Cruz does not have a water
13 supply problem, it has a water storage problem.
14 We're talking about storage or supply, not demand --
15 oh, oh, 30 seconds.

16 I also remember saying that we use much
17 more potable water than we -- that our supply is
18 much, much more than we use. I'd like to know, I
19 think it was said that it was three times the amount
20 of -- we use about three times -- our supply is
21 three times larger than our demand, and most of it
22 goes out to the sea. And I think we should have a
23 taller reservoir. If we had a taller reservoir, we
24 could store much of the water that now goes out to
25 the sea. And so I'd like to know how much of our

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1 supply we have, and how much taller a reservoir we
2 would need to save some of that water. How much
3 would it be if it was five feet -- how much would we
4 save if it was five feet taller, ten feet taller, 15
5 feet taller?

6 Thank you.

7 MR. COLWICK: Thank you very much.

8 And just to remind folks, if you run into
9 the three-minute time limit, we have other
10 opportunities to submit comments. We also have a
11 follow-up meeting on July 1.

12 MR. MALONE: I'll be back.

13 MR. COLWICK: So Jim Dixon, followed by
14 J. K. Davidson.

15 MR. DIXSON: My name is Jim Dixon. I
16 live in Aptos. I am a Soquel Creek Water District
17 customer. I have no affiliations with anybody with
18 the possible exception of some stock I might own in
19 one of the suppliers of one of the pumps or
20 something like that, but it's insignificant.

21 My biggest concern is we do have a supply
22 problem, specifically, primarily in Soquel Water
23 District. The City of Santa Cruz has some
24 alternatives that are not available to Soquel Creek
25 Water District. I'm concerned with overdrafting the

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1 aquifers and the saltwater intrusion. Once that
2 saltwater intrudes, those wells are useless unless
3 they become water supply for a desal plant.

4 Conservation alone. My belief is
5 conservation alone will not be sufficient to allow
6 recharging of the groundwater aquifer. I do not
7 think we can conserve our way out of this in the
8 Soquel Creek Water District.

9 Santa Cruz County in general uses less
10 water state -- by a wide margin than water users
11 across the state. We've done as a community, the
12 county, very well in conserving water. There's only
13 so many times you cannot flush the toilet to save
14 water. And in our particular household, we're about
15 there. We have been conserving water as best we
16 can. We participated in the turf rebatement
17 program -- replacement program with Soquel Creek
18 Water District. So I believe this is a project that
19 needs to move ahead, and mitigate and eliminate as
20 many of the downsides of it as possible, unless we
21 decide that we can do some of the other alternative
22 water supplies, supplies increases of water,
23 utilizing the ground -- excuse me -- surface water.

24 This EIR did not go into the details of
25 those surface water projects that were not

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1 considered. I'd like to know where I can get those
2 details. I have only lived here for 12 years, so I
3 have not experienced, didn't go through some of
4 those things that happened in the '90s and earlier.

5 That's about it. Thank you.

6 MR. COLWICK: Thank you very much.

7 J.K. Davidson, followed by David Levine.

8 MR. DAVIDSON: My name is Key Davidson.
9 I'm not from here. I'm from San Francisco, and I
10 come down here frequently and have been for about a
11 quarter of a century. I come down here to ride.
12 It's easier than riding in the City. About 20 years
13 ago, I was a visiting lecturer at the University.

14 I am coming down here because in
15 San Francisco they're always proposing -- also
16 proposals for desalination projects, and some of us
17 in the City of San Francisco who are worried about
18 that are monitoring what's happening in Santa Cruz
19 because this is a very progressive town, and what
20 happens here, what is decided here, could end up
21 influencing what decisions are made about desal in
22 other cities in the state of California. So we're
23 keeping a close eye on what goes on here, and
24 hopefully we can learn some lessons from your
25 experience.

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1 I just want to make sort of a broad point.
2 I was a science and technology writer for about
3 three decades, and there's nothing I am more
4 skeptical about than technology, especially big
5 technology. And that's what this is. This is big
6 technology.

7 And I know this is called an EIR, but
8 let's face it, folks, it's a sales pitch. This is
9 selling the idea of big technology of desal. It's
10 got slick color pictures in it. It looks like a
11 brochure for a real estate development.

12 If you want to read something much more
13 sobering about the drawbacks of this kind of big
14 technology, I suggest the report "Key Issues for
15 Desalination in California: Cost and Financing" by
16 Heather Cooley and Newsha Ajami. It was published
17 by the Pacific Institute last year, and it's a very
18 sobering study of what ultimately is the most
19 decisive factor in the failure of these big
20 technology projects, which is their economics and
21 their finances.

22 If these things end up costing an arm and
23 a leg, then you won't be able to afford all the
24 environmental mitigation that is promised in this
25 report. And in that regard, I agree with an earlier

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1 speaker who said we need to learn from the
2 experiences of other communities. He cited
3 Santa Barbara, and I want to cite just the example
4 of the city of Carlsbad, which in May 2002 launched
5 plans for a desal plant that was estimated to cost
6 260 million, and the latest estimates as of
7 September last year are 984 million. That's three
8 and a half times the originally-projected cost.
9 When you end up costing that much, the plant becomes
10 unaffordable and that's when corporations start
11 cutting back on environmental mitigation. They get
12 rid of their environmental inspectors. They start
13 cutting corners in terms of waste disposal and so
14 forth. So let's learn from experiences elsewhere.

15 And as another gentleman said, a man I
16 agree with very strongly, let's realize that in the
17 end, technology is not going to save us, and we need
18 to learn to live within our limits and just don't
19 flush the toilet as often.

20 Thank you.

21 MR. COLWICK: Thank you.

22 David, followed by Daniel Krieger.

23 MR. LEVINE: Hi. My name is David Levine.

24 I live in Santa Cruz with my four children. I have
25 for nine years. Recently, in the last couple years,

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1 moved to 119 Merced Avenue, about a hundred feet
2 from a proposed site, I think it's known by SI-7, I
3 think is the number.

4 While I agree with a lot of the concerns
5 and opinions, and thankful for some of the eloquent
6 comments that have been posed about desalination as
7 a whole, I want to take my two and a half minutes
8 remaining to talk about the neighborhood.

9 At this particular location, as well as
10 any others that are considered in a neighborhood,
11 the first question that comes to mind is: Aren't
12 there zoning laws for things like this? You know,
13 if you want to build a porch that might stick out
14 into the, a little bit into the 20-foot setback, the
15 entire neighborhood gets to comment about, well, I
16 don't like the color of your porch, or would you
17 please paint it this way, or put it up so and so.
18 And I'm concerned that the, quote, mitigation
19 possibilities, and particularly at this location,
20 would not take into consideration the people who
21 would be most impacted, let alone the tourists and
22 guests and residents of the west side who have to
23 walk by some sort of edifice. I don't know what
24 that would be.

25 But what I'm concerned about is not only

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1 the look, the noise, and the shaking that some sort
2 of below ground or above ground filtering process
3 might impart on our neighborhood. And I wonder what
4 happens when it's all said and done and my house and
5 my neighbor's house foundation starts to crack and
6 fall down because this filter is built on shaky
7 limestone sea caves. And I wonder who's there to
8 take responsibility when that sort of thing happens.
9 So I'm not even going to register my concerns about
10 desalination as a whole, even though I have many of
11 them. I would like to just focus on the
12 neighborhood, the safety of the streets, the look of
13 the environment, the noise, the vibration, and who's
14 there to say, well, that was our responsibility.
15 You're not just stuck with the bill. Too bad.

16 Thank you.

17 MR. COLWICK: Thank you.

18 Daniel, followed by Rick Longinotti.

19 MR. KRIEGE: My name is Dan Krieger, and
20 I've lived in the Capitola and Soquel area for a
21 little over 40 years.

22 The Environmental Impact Report that we're
23 looking at right now didn't just start recently. I
24 can go back to the late 1990s where the Soquel Creek
25 Water District put together a committee of about 20

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1 some people and they looked at all -- these are
2 local citizens, and some government employees and
3 what have you, and they looked at all the
4 alternatives for Soquel Water District knowing that
5 we were overdrafting ground basins and we had to do
6 something about it. This study went on for about
7 two years, and the ultimate conclusion of that
8 group, and they weren't supporters of desal, but the
9 ultimate conclusion was that the only true solution
10 for the Soquel Creek Water District was a desal
11 plant. That was long before any issues with the
12 City of Santa Cruz grew, but out of that, there was
13 a growing need for the desal plant and a growing
14 need for the City of Santa Cruz to do something, and
15 they came together and it appears now that we've
16 reached this point. There are still a lot of
17 issues, and I don't blame people, especially on the
18 west side, they don't want something like this. And
19 a lot of us don't want a lot of things in our own
20 back yard, we don't like pipelines, we don't want
21 this, we don't want that, but our problem is we're a
22 community of people and we need to build things. We
23 need to meet our supply. And the EIR has adequately
24 looked at all the various alternatives and it's come
25 up with what I would believe is a simple-sounding

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1 solution for the desal plant. It's going to cost a
2 lot of money and it's going to cause a lot of local
3 problems, but I think it ultimately will be our
4 solution.

5 I don't think anybody wanted the Graham
6 Hill treatment plant years ago, people didn't want
7 wells in Soquel Water District years ago, but if
8 you're going to live in this community, we have to
9 do these things.

10 There are a couple of issues that I wish
11 would be addressed a little more. And one of them
12 would be, and I don't think people really appreciate
13 the fact of the Soquel Creek Water District
14 customers are told, cut 35 percent. That is
15 drastic. That does not talk about just flushing
16 your toilet a little less often. It means no yards.
17 It means an impact on the value of your property,
18 because if you're going to sell your house to
19 somebody and you say, well, sorry, you can't have
20 water very often, you can't have a lawn, you can't
21 have anything, people are going to go elsewhere to
22 buy homes. The economic impact of a 35 percent
23 reduction has to be addressed in the EIR.

24 There is one other element that I would
25 like to see addressed in the EIR, it comes up quite

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1 often, not necessarily truthfully. Santa Barbara
2 project was built because they were in a drought.
3 When the project was built and ready to go, the
4 drought was over. They did run the plant for about
5 six months, it ran fine, it worked well. The water
6 was put directly into the City's water supply
7 without any particular problems.

8 There were a few complaints. A few of the
9 complaints occurred before the water was even put
10 into the pipeline, so people were not ready for
11 their complaints long before. But I wish the EIR
12 would look at that and document when the project was
13 built and when it operated.

14 Also, Santa Barbara has put that plant on
15 hold. It still is there and they spent, along with
16 a number of west coast cities, \$500 million bringing
17 the water supply into the city of Santa Barbara that
18 is subject to drought and subject to Sacramento
19 River flows and subject to the Delta, so I wish that
20 would be addressed a little more.

21 Thank you.

22 MR. COLWICK: Thank you.

23 Rick, followed by Ed, and, Ed, I'll read
24 your comments into the record. Rick.

25 MR. LONGINOTTI: I'm Rick Longinotti. I'm
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1 with Santa Cruz Desal Alternatives, and we're
2 advocating for alternatives to desalination that
3 would be environmentally more benign.

4 There was an Environmental Impact Report
5 done in the 1970s that I think is relevant to this
6 issue, and that was an Environmental Impact Report
7 on the master sewage plan for Santa Cruz County. At
8 that time, the plan was, and it actually came to
9 fruition, that all the sewage from Aptos north would
10 come to Santa Cruz and be treated in what's now the
11 wastewater treatment plant in Santa Cruz.

12 The person who was the environmental
13 consultant for the Draft EIR was a man named
14 Pat Ferraro, an environmental engineer. He
15 recommended in the Draft EIR that the sewage was
16 going the wrong way, that it should go into the
17 Pajaro Valley where the wastewater could be treated
18 and used in the farms. He was fired from the
19 project after he came up with that conclusion.

20 The reason I tell this story is to make
21 the point that there is a strong financial incentive
22 for consultants who perform an Environmental Impact
23 Report to deliver the goods, to give to the lead
24 agency on a project what that lead agency wants,
25 which is a rationalization for a project.

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1 Truly, I think it's fair to say that the
2 only factor that keeps this process honest, in some
3 measure honest, is the threat of a lawsuit. Because
4 an environmental consultant can only go so far in
5 trying to make a project look green as this one
6 does, with its claim to be carbon neutral.

7 Though sewage going the wrong way is a
8 problem we still have to this day, but thanks to
9 satellite wastewater treatment plants which could be
10 placed all along the way as sewage travels from
11 Aptos down to Santa Cruz, we can treat water and we
12 can restore our aquifers by recharging streams along
13 the way. We could also use it to service the golf
14 course at Seascape, golf course.

15 Unfortunately, the objectives of the EIR
16 for the Soquel Creek Water District have been
17 written in such a way to exclude using wastewater on
18 Seascape golf course because they've narrowly
19 defined the objective as reducing pumping for the
20 district. So you have an option that would benefit
21 the aquifer, but it's not allowed to be considered
22 an alternative.

23 There are many kinds of shortcomings in
24 this EIR, the main one having to do with the carbon
25 neutrality, but I want to just invite people to come

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1 to a program that Desal Alternatives is sponsoring
2 on Thursday June 13th at 7:00 p.m. which will
3 address these things. And if you're not on our
4 mailing list, please sign up today.

5 Thank you.

6 MR. COLWICK: Thank you.

7 So I'm going to read into the record a
8 comment from Ed --

9 AUDIENCE MEMBER: Microphone.

10 MR. COLWICK: -- Silveira.

11 Yeah, I will.

12 And then when I'm done, the next speaker
13 will be Winifred Alexander.

14 So this is on behalf of Ed Silveira with
15 the Villa de Branciforte Preservation Society. And
16 the comment relates to cultural resources,
17 section 8-8, in relation to the significance to
18 environmental Americans, or cultural sites near or
19 within the project area.

20 And the concern is that it's not clear, or
21 it's not documented that there are, in fact,
22 resource sites near the project vicinity, and the
23 commenter specifically points to an article in the
24 Santa Cruz Patch as of, it was dated August 14th,
25 2011, and the title is "Ancient Ohlone Village and

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1 Burial Site Uncovered in Santa Cruz." And so the
2 commenter specifically wants to reference this
3 article, and would ask that additional research be
4 done to determine either to make contact or to
5 determine if there are, in fact, any cultural sites
6 within the project vicinity.

7 Thank you.

8 So the next speaker, Winifred Alexander,
9 followed by Celia Scott.

10 And I'll include the documents with the
11 comments.

12 MS. ALEXANDER: My name is
13 Winifred Alexander. And I've been a resident, we
14 bought our property in 1942, and I started working
15 there in 1955. I think I've been here through a lot
16 more storms and rain than anybody else in the room.
17 And I remember the one in '55 and '56, by the way.

18 I'm not going to be as eloquent as all
19 your other speakers, because they've all made
20 wonderful points, but I'm just not the eloquent
21 speaker, so excuse me if I just put it the way I see
22 it.

23 When these plants didn't work other places
24 and they couldn't sell them to anybody else, they
25 brought their snake oil here. I'm not in favor of

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1 this desal plant. I think it's a real lack of
2 planning on the City water department.

3 If I remember correctly, in the '70s they
4 let us use gray water for some plants, and then they
5 made it illegal for a very long time. And the City
6 itself through the regulations has caused some of
7 this. If we were allowed to use gray water for
8 irrigation, which I think they lifted that now
9 because the spotlight's on 'em, but, however, most
10 of us that adore plants and still like to conserve
11 were aware of this fact that the City made that
12 illegal for a long time.

13 We can redo the way we do things. We can
14 build better buildings. We're smart enough. We can
15 use less water. Nobody says the toilet has to have
16 fresh water. We can create new homes with systems
17 that use gray water, recycles with the primary
18 filter, it goes back in and comes back through to be
19 used a second time.

20 Now, when I talk to City people about
21 that, they say, oh, well, we're already built out,
22 so that's not really going to be enough to save us
23 anything.

24 I did hear one person here say that this
25 problem is bigger than Santa Cruz. They're right.

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1 It's the whole state of California. So tell me the
2 whole state of California's built out and this
3 wouldn't impact somebody.

4 So, I think it's less expensive to filter
5 the gray water and to reuse. I think your discharge
6 system will pollute. You already close our beaches
7 a bunch of the days of the year when the bacteria
8 count's too high at Cowell's Beach. Don't tell me it
9 doesn't happen. I'm there. I know.

10 I think that it's -- I think that you're
11 going to do what you want to do because it's not
12 your money, it's the taxpayers' money, and that
13 you're just going to go ahead with this expensive
14 pink elephant anyway. But I want to let you know
15 something. One of those sites you picked is my
16 property, and you're not going to get it. I'm
17 telling you now, that you have one deputy sheriff
18 back there, you're going to need a whole bunch more
19 when you go to confiscate my property. My
20 grandfather bought it in 1942. My brothers, myself,
21 and all our relatives have waited all these years to
22 develop that property. It is on Beach Street with
23 an ocean view, and you expect to put a pumping plant
24 next to all the motels? Get a grip.

25 And you're going to find me, my extended

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1 family from everywhere chained to that property. I
2 will make national news. So I'm not threatening.
3 I'm just giving you -- no, I'm just making them a
4 promise. I want them to know what to expect.

5 Oh, my time? Don't worry, honey. Your
6 time's coming.

7 MR. COLWICK: Thank you for your comments.
8 Celia Scott, followed by
9 Colonel Michael Maxwell.

10 MS. SCOTT: Hi, everybody. My name is
11 Celia Scott. I am a 44-year resident of the City of
12 Santa Cruz, former council member there, and an
13 environmental attorney. And I have not completed
14 and I cannot possibly provide comments on this
15 document because it is too long, and too complex, at
16 this moment, too long and too complex, and as you
17 said, Chris, dense.

18 I have looked at a lot of Environmental
19 Impact Reports. This is one of the more complex
20 ones I've ever seen. It has a huge train of
21 previous documents. And in my opinion, I believe it
22 needs more time for public review, and I would like
23 first of all to add my name to those who have
24 requested another 30 days for public review of this
25 document.

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1 I believe under the law that is within the
 2 discretion of both the Soquel Creek Water District
 3 and within the discretion of the City of Santa Cruz,
 4 and to -- just to be fair, and in terms of
 5 fundamental fairness, it's a technological com- --
 6 technologically highly complex issue.

7 So I am going to just mention a couple of
 8 process points. One in particular, on page 1-21 of
 9 your executive summary, you say, ultimately the city
 10 council and district board will weigh all the
 11 information on these component alternatives to
 12 select one intake site and one desalination plant
 13 site.

14 You have not identified those in the
 15 Environmental Impact Report. This is a very unusual
 16 way to do any EIR in which you have not actually
 17 provided the project. And so my question is: What
 18 is the process by which that is going to be
 19 identified? Is it going to be identified after the
 20 Final EIR? Is there going to be any time, then, for
 21 people to comment on that final project decision,
 22 which intake site, which plant site, and the other
 23 components?

24 It's very unusual you have not identified
 25 the environmentally superior alternative if you

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1 could put that name to this kind of project. And
2 what are you planning to do then? Are we going to
3 get to comment on it again?

4 There is a process in CEQA for
5 recirculation of a Final EIR when you've added
6 something to it, and I think if you add the actual
7 project selection to this EIR, I think it may be
8 that you really should be recirculating the EIR. I
9 know there's a desire on the part of some of the
10 project proponents to move this project along fast.
11 Well, it hasn't exactly gone fast now, and I don't
12 think it's going to go fast and I think the public
13 needs to be respected more fully.

14 I notice among other things that, for
15 example, along the West Cliff Drive or on the intake
16 sites, you have put public notices by some of them,
17 but not by others. You have not put, for example,
18 one at the foot of Natural Bridges Drive where --
19 which is immediately adjacent to Natural Bridges
20 State Park, and one of the most beautifully small
21 pocket beaches on our coastline.

22 And I would also like to make one comment
23 on your presentation. It was stated in the
24 presentation that there are new regulatory
25 requirements for fish habitat to protect them.

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1 That's not right. Those requirements have been in
2 place ever since the Endangered Species Act was
3 passed by the United States Government. The City
4 was notified well over ten years ago. I was once on
5 the Habitat Conservation Committee which was
6 sunsetted by the City, and there's nothing new about
7 it. Just as there's nothing new about the Soquel
8 Creek aquifer problem. The U.S.G.S. identified
9 potential saltwater intrusion in that aquifer in
10 1981.

11 Thank you.

12 MR. COLWICK: Thank you.

13 Colonel Michael Maxwell --

14 COLONEL MAXWELL: Yeah.

15 MR. COLWICK: -- followed by Michael Boyd.

16 COLONEL MAXWELL: I'm Colonel

17 Terry Maxwell, and let me explain. It turns out I
18 was involved with the Air Force in both EIRs for
19 large massive projects, as well as looking at water
20 alternatives and options. I'm disappointed that all
21 of the alternatives aren't acknowledged, first, and
22 secondly, considered more fully, if at all, in the
23 Draft EIR. I presume that can be corrected.

24 Without going into a lot of detail, I
25 notice on page 11 of what you passed out, you're

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1 claiming energy recovery devices to capture and
2 reuse energy from the high pressure filtration
3 process.

4 I don't see any technical references when
5 I read through the Draft EIR online, maybe they're
6 there, but I'd like to have the opportunity to come
7 and talk to your technical staff. And I'm open-
8 minded, I'm open-minded. I'm concerned about
9 Santa Cruz's long, the county, and its long-term
10 livability, and its long-term, if you will,
11 healthfulness for everyone here. But I'm also
12 concerned about having a government that's
13 competent, honest with its customers and taxpayers
14 and citizens, and, if you will, prudent with the
15 money of others.

16 I'm not sure I'm convinced that that's the
17 case with all of the elements of Santa Cruz County
18 that I've observed at the County level as well as
19 the City, as well as the Soquel Creek Water District
20 with disappointment. I'd like to be convinced that
21 we are competent and honest, we the government here,
22 and those equivalent to the government. So I'd like
23 the commitment from your management at the highest
24 levels of the Soquel Water Creek District and the
25 City of Santa Cruz to include and not be limited to

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1 its water department, that if I come in and request
2 an opportunity to be informed, fully informed about
3 the business components of this, the technical
4 evaluations, and the history of how we got here to
5 this recommendation for a desal altern- -- a desal
6 need and requirements, having been in the
7 requirements business at the Pentagon, I'd like to
8 bring my expertise and assessment of that, and you
9 can convince me. But I have to have a commitment of
10 access that I'm not going to be delayed or deterred
11 as frequently happens with some bureaucracies that
12 really don't want to be fully honest and
13 forthcoming. So may I have that commitment from
14 whoever's senior from the Soquel Creek Water
15 District here in the room and whoever's senior from
16 the City of Santa Cruz and its water department?

17 MR. COLWICK: Thank you for your comments.

18 COLONEL MAXWELL: Thank you. Do we have
19 no senior representative from either of those two
20 entities?

21 MR. COLWICK: Again, sir, I think since
22 we're in the middle of the comment period, we're
23 going to stick to the three-minute comments. I
24 believe that members of the board here have heard
25 your request, and I would imagine will be here at

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1 the end of the meeting to talk about that with you
2 in more detail.

3 COLONEL MAXWELL: So they can't give me a
4 concurrence now?

5 MR. COLWICK: Again, this is not a
6 back-and-forth Q and A type of a setting. We're
7 here to take your comments..

8 COLONEL MAXWELL: All right. I will be
9 seeking their opportunity and commitment to, if you
10 will, provide information to myself and interested
11 others.

12 MR. COLWICK: Thank you.

13 So the next commenter, Michael Boyd,
14 followed by Arik Fiorimonte.

15 MR. BOYD: Hello. My name is
16 Michael Boyd. I'm a Soquel Creek Water District
17 resident.

18 Is there someone here that's representing
19 the consultant Kennedy/Jenks?

20 MR. COLWICK: Again, this is for the
21 comment section.

22 MR. BOYD: I understand, but that's the
23 consultant, correct? Who's going to prepare --

24 MR. COLWICK: Do you have a comment?

25 MR. BOYD: I'm asking about the process.

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1 MR. COLWICK: This is not Q and A. I'm
2 sorry. We're going to stand up here and respond to
3 questions.

4 AUDIENCE MEMBER: How many people would
5 like them to respond to questions?

6 MR. BOYD: It doesn't matter. The process
7 is spelled out in the law. I'm not asking him to
8 break the law.

9 I can give you written materials, though,
10 correct?

11 MR. COLWICK: Absolutely.

12 MR. BOYD: Can I give you these written
13 materials?

14 MR. COLWICK: Sure. Hand them up. We'll
15 submit them as part of the record.

16 MR. BOYD: Okay. That's fine.

17 I saved a handful here in case there's any
18 members of the press or interested members of the
19 public who want a copy of what I'm giving them.

20 Essentially I am suing the Soquel Creek
21 Water District, and I am suing the City of Santa
22 Cruz, and I'm considering suing Kennedy/Jenks as the
23 preparer of this so-called unbiased, impartial
24 Environmental Impact Review.

25 It's come to my attention based on a

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1 recent article in the newspaper about, I think the
2 guy's name Mr. Kotcher, becoming the vice-president
3 of this group called CalDesal. I'm thinking of
4 suing them, too, because they're an advocacy group
5 for desal.

6 And where my concern comes in with this
7 Kennedy/Jenks, if you look at this thing I give you,
8 when you become a member, apparently you take this
9 pledge. "I believe that in order to continue to
10 have sufficiency and reliable water supply provided
11 for the public benefit throughout the state,
12 California must consider and develop all viable
13 water supply sources. Therefore, desalination and
14 salinity management technology should continue to be
15 developed with the encouragement of the state, its
16 agencies and municipalities." And on the back it
17 says you're not going to disclose your name or
18 anything if do you this.

19 Well, that's why I have to sue them, so I
20 can get their names. Well, they have a list of
21 who's on there, including the City of Santa Cruz and
22 the Soquel Creek Water District is this consultant
23 Kennedy/Jenks. So my question is: How come you
24 guys at Kennedy/Jenks are doing the EIR when you're
25 a member of this advocacy group?

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1 The reason is because you're violating my
2 civil rights, my federal civil rights under color of
3 state law. And that's something I can sue you
4 about. And that's what I'm planning on suing you
5 about unless you withdraw this document and withdraw
6 from the EIR and recirculate it, like the lady said,
7 with a new consultant who is unbiased and isn't a
8 member of this CalDesal group.

9 And you'll see I already have sued folks
10 over this, including the individual members I've
11 attached on my last page here, my lawsuit against
12 the Public Utility commissioners individually for
13 damages. You're next if you don't withdraw this and
14 recirculate.

15 Thank you very much.

16 MR. COLWICK: Okay. Thank you for your
17 comments.

18 Arik Fiorimonte, followed by Reed Searle.

19 MR. FIORIMONTE: I'm Arik Fiorimonte. I
20 live on the west side on Modesto with my wife and
21 four-year-old son. And I guess you could say I'm a
22 desal skeptic, too. I'm willing to be convinced,
23 but I'm not going to go into the argument of whether
24 or not to do it right now except a few rhetorical
25 questions. One, should we still be growing if we

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1 don't have enough water to begin with? Why are we
2 continuing to grow if we don't have the water?
3 First rule of holes: If you find yourself in one,
4 stop digging.

5 And I have sort of -- the cynic in me
6 wonders -- I'm going to talk about the pump station
7 locations and the neighborhoods locations
8 specifically, but I kind of -- the cynic in me
9 wonders, did you make these, all these alternatives
10 so offensive to the surrounding neighborhood so that
11 we would all fight over which one of us is going to
12 get stuck with it, and then forget to have the
13 discussion whether to do this in the first place or
14 not?

15 I'm going to let those stand as trail
16 comments. And I want to just talk about the pump
17 station locations, too, which are within a tenth of
18 a mile of my house of Modesto, SI-7 and SI-16. I
19 read the section on the noise, and there were some
20 noise levels taken in the neighborhood, and compared
21 to the operational noise of the pumping station.
22 And the nighttime background level was found for the
23 best case scenario for the below grade option, 40
24 decibels at night controlled mostly by surf,
25 compared with 57 decibels operating noise. And then

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1 it describes the impact threshold to be five DB
2 about that 40. So, we're talking about 45, above
3 40. 40 is the sound of the surf. So we're saying
4 our threshold is something that may be roughly two
5 to three times more sound energy than the surf,
6 which that's why you go to the west side, right? To
7 be near the surf. So we don't want to have the surf
8 plus this mono frequency hum going in the
9 background. But now we're talking about 57
10 decibels. That's 12 decibels above the standard,
11 which the standard, I think, is too high to begin
12 with.

13 So now we're talking about maybe 60 times
14 the sound energy? And then it calls out there be
15 some sort of mitigations put in place to control
16 noise. Some of them have been alluded to. I didn't
17 see any data or any information, specifics about how
18 these are going to, how much these will reduce
19 noise, what are they going to look like, and if they
20 will be effective.

21 So I guess to sum up, I'm one of the
22 parents with 13 kids in the area, and I don't think
23 that we should be putting pumping these stations in
24 a residential area, mine or any others. I think
25 that there really needs to be a little bit more

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1 discussion of the noise impact and the other
2 aesthetic degradation that will happen as a result
3 of these pumping stations.

4 Thank you.

5 MR. COLWICK: Thank you.

6 Reed, followed by Scott McGilvray.

7 MR. SEARLE: I would like the EIR to
8 comment on three questions. First is a follow-up to
9 what Celia Scott said, what is the process whereby
10 the final location will be chosen? What is the
11 opportunity for public participation in that
12 decision-making process? And what is the process
13 for citizen input into the content of the plan that
14 is ultimately made? I'm referring specifically to
15 the intake locations.

16 And, secondly, I note that the intake
17 locations on West Cliff Drive are located in the
18 pumping stations on vacant lots. Is it the
19 intention to take over the entire of each of those
20 lots, or pick one of those if chosen. And, if so,
21 will the pumping site occupy the entire site or will
22 it only occupy, as I understand it, a small portion
23 of each lot, in which case, what will happen to the
24 remainder of the lot?

25 And the third issue has to do with

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1 allocation. The consultant said that the water was
2 originally intended for the City of Santa Cruz
3 during drought conditions, but the definition of
4 drought conditions has drastically changed now that
5 we have an obligation to provide -- or we will have
6 an obligation to provide for the fish and habitat
7 which means that the drought times will be much
8 longer, and that raises the question, then, as does
9 Santa Cruz have the right to demand water during any
10 time when it chooses to declare a drought, too bad
11 about Soquel? Or does this mean that there is an
12 allocation question that the two districts will work
13 out, and how is that process going to be worked out?

14 MR. COLWICK: Thank you for the comments.

15 Scott McGilvray, I believe, followed by
16 Ron Pomerantz.

17 MR. MCGILVRAY: Good afternoon. My name
18 is Scott McGilvray. I live in Live Oak. I'm a
19 customer of the Santa Cruz water system. I'm also a
20 consultant in water conservation.

21 And my comments are two. Number one,
22 under the comparison analysis of alternatives to the
23 proposed project on pages 26 and 27, there is no
24 mention of conservation at all, so you've omitted
25 that.

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1 I'd like to point out that a month ago, a
2 baseline study was submitted to the City of Santa
3 Cruz of a level of conservation that is achieved in
4 Santa Cruz at the present time, and there were two
5 items in it there were very exciting in terms of
6 potential. I'm glad there are so many people here
7 today. One of them is toilets. Santa Cruz has now
8 got about 90 percent of all the toilets that are
9 high efficiency toilets. What was not revealed by
10 the report is that high efficiency toilets are now
11 much better than they used to be, and the result of
12 that is that what was a high efficiency toilet was
13 1.6 gallons per flush, and what is a high efficiency
14 toilet now is .8 gallons per flush. And if you do
15 the math, that represents 120 million gallons in
16 Santa Cruz City alone if you get 80 percent
17 penetration. I haven't done the math yet for Soquel
18 Creek, but that's a whole lot of water. That's a
19 quarter of the desal plant.

20 Second point is high efficiency washers.
21 A larger percentage of savings are possible there.
22 And according to Mr. Coker, could yield as much as
23 200 million gallons a year. So these pieces of the
24 puzzle that have not been included here need to be
25 included.

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1 Thank you very much.

2 MR. COLWICK: Thank you for your comment.

3 Ron, followed by John Aird.

4 MR. POMERANTZ: Good afternoon. I am
5 Ron Pomerantz, and for those who haven't seen the
6 document, it's bigger than a phone book these days.
7 And add five times that with the appendices. It is
8 rather laborious. I guess you could say we got our
9 money's worth in quantity of pages at about \$200 a
10 page, but I think it's lacking in the quality of the
11 document.

12 In just -- I mean, the time I've spent,
13 the things I want to raise at this point, I'm sure
14 there's going to be a lot for everyone else along
15 the road, is that for the EIR, how can Santa Cruz
16 water department say water neutrality. Using water
17 neutrality, water consumption will increase by 14
18 percent, at the same time Soquel Creek district says
19 that their water consumption, their demand will
20 actually go down. I don't understand what -- water
21 neutrality means water neutrality. There should be
22 no additional water use.

23 Purchasing carbon credits can only be said
24 to be green washing in my mind. Carbon credits do
25 not reduce energy consumption, nor reduce greenhouse

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1 gas emissions. This project is an energy hog, and
2 directly conflicts with the city climate action
3 plan.

4 Even if wind and solar or other renewable
5 energy sources could meet the demands of the solar
6 production, that's taking away from renewable
7 energies that could be used for other demand in the
8 area. And additionally won't comply with AB-32
9 state requirements.

10 I've been unable to find any information
11 regarding the reliability of the plant. What's the
12 down time? What's the maintenance needed? What's
13 the estimate of all that? So that would reflect on
14 the real cost per gallon that's produced.

15 This EIR is said to evaluate a two and a
16 half million gallon a day desalination plant. This
17 appears as a slight of hand trick because the EIR's
18 proposed infrastructure, according to the EIR, will
19 accommodate 84 and a half million gallons per day
20 plant. Either this industrial desalination plant is
21 a two and a half million gallon a day, or it's a
22 four and a half million gallon a day. My question,
23 is it can't be both. And in the Final EIR, I would
24 hope this major discrepancy could be cleared up.

25 I thank you for your time today.

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1 MR. COLWICK: Thank you.
2 John, followed by Michael Brodsky.
3 MR. AIRD: Good afternoon. My name is
4 John Aird. I want to speak to two issues, one that
5 pertains to the presentation that you heard, and
6 that you're likely to hear on High Street, and that
7 is -- and I'm going to be asking you to look into a
8 couple of documents that are behind this project,
9 the EIR and, in fact, the presentation.

10 The first of this is, and it was
11 referenced by somebody else, about CalDesal, and
12 what this organization is all about. This is a
13 classic advocacy organization that fronts people
14 that are potentially interested in this, but totally
15 supported or basically totally supported by
16 industry, by the corporate industry that's behind
17 desal.

18 I would like to refer, if you go to
19 Caldesal.org, you can look up an appendix which
20 talks about how to influence communities and how to
21 pitch this. And three key messages are stated in
22 that. One, doesn't desal cost too much? And they
23 give the answer. Number two, won't desal use more
24 energy? And they give the answer. Won't desal hurt
25 the ocean? And they give the answer, some of which

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1 you heard today.

2 So, you know, when we see something like
3 this, let's look behind what's driving this report.
4 And, in that regard, I'd like to ask those
5 particularly in Santa Cruz, I would refer them to
6 the urban management, water management plan, and
7 also to the General Plan. Both of those specify a
8 growth, and so for this document to assert, the EIR
9 to assert that the proposed project would not
10 directly or indirectly induce growth, when on
11 page 5.3 of the General Plan it says, the City's
12 identified a desalination plant as its best
13 potentially feasible option to alleviate shortages
14 and drought conditions, and as a potential
15 additional normal year water supply for new growth.
16 That's why it's 4.5 developed in the pipeline and
17 infrastructure, because once it's there, it's easy
18 to expand it. The bulk of the money has been
19 already spent.

20 And I just would like to -- so I would
21 urge you to look back at what's driving this. It's
22 the General Plan in 2030. It's also the urban water
23 management plan. All of these things speak to
24 growth.

25 While there may be some justification for

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1 this for the Soquel Water District, why else would
2 Santa Cruz pay 60 percent of the tab, put it on the
3 west side, which is far from the location of the
4 greatest need, Soquel, and then have it expandable.
5 Because the people behind this want to support
6 growth.

7 Thank you.

8 MR. COLWICK: Thank you for your comment.

9 And I have one more card. This is

10 Michael. Are there any other cards?

11 There we go. Thank you.

12 So Michael, followed by Mary.

13 Any other cards?

14 MR. BRODSKY: Hello. Michael Brodsky,
15 1712 West Cliff Drive.

16 So an earlier speaker was concerned about
17 the noise from the proposed pumping stations,
18 particularly the one near West Cliff and Merced, and
19 commented that there was just a promise of future
20 mitigations in the EIR. And so that's actually a
21 very hot and interesting topic in CEQA. It's called
22 a deferred mitigation. And the general rule is that
23 deferred mitigations are not allowed. You need to
24 identify the mitigation measure in the EIR before
25 you make a decision on the project.

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1 There's a very narrow exception to that,
2 which is that mitigation measures can be deferred if
3 you specify performance standards and do enough
4 analysis to show that it's feasible to meet the
5 performance standards.

6 So what the EIR does is it specifies
7 performance standard and decibels, but I didn't see
8 anywhere in there the analysis that shows that
9 that's feasible. So that's a flaw in the
10 Environmental Impact Report. I think it's a flaw
11 that's worth paying attention to because a pump of
12 that size, and one of the thoughts is that, perhaps,
13 it will be buried underground. And I don't know.
14 Is that going to help burying it underground, or is
15 that going to make it worse? We're on rock there.
16 Noise and vibration can be transmitted through rock.
17 So that's something that the law is going to require
18 you to address before you make a decision on the
19 project.

20 The other thing that I'm not quite clear
21 about is why the alternative pumping stations along
22 West Cliff there, particularly the one on Merced,
23 are located in a residential neighborhood. That's
24 completely incompatible land use. It's what lawyers
25 call a nuisance. It's an unreasonable interference

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1 to the enjoyment of land by surrounding landowners.

2 And CEQA is not an inoculation against
3 that. You can do all the EIRs you want and adopt
4 overriding considerations, but it doesn't insulate
5 you from being attacked as that's putting a nuisance
6 in the neighborhood.

7 So what I don't understand is since there
8 are vacant industrial sites, big huge industrial
9 buildings a few blocks away that are vacant, why not
10 if you're going to have the intakes along West Cliff
11 at Merced or Stockton, why not put the pump
12 somewhere out of a residential neighborhood?

13 It would seem, you know, if one didn't
14 know better, that putting three or four alternative
15 locations for pumps in the middle of residential
16 neighborhoods would be about the best way you could
17 stir up as much opposition as possible, so one
18 wonders if you're really serious about going forward
19 with this.

20 Thank you.

21 MR. COLWICK: Thank you for your comments.

22 Mary, and Kimia is after Mary.

23 Kimia, I apologize. You're next.

24 Mary, by all means you're next.

25 Mary Jennings.

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1 MS. JENNINGS: I have no stake in this
2 except that I've lived here --

3 AUDIENCE MEMBER: Louder, please.

4 MS. JENNINGS: I've lived here since 1976,
5 and I'm just a scientifically curious person.

6 This book was put in my hands several
7 months ago by someone who found the four syllable
8 words in it daunting. I just approached it as a
9 foreign language exercise, and I enjoyed it and
10 didn't have difficulty.

11 It involves almost unlimited supply that
12 has not been tapped and has not been considered, at
13 least here. Apparently if drilling goes deeper, it
14 obviates the problem of seawater intrusion, and can
15 tap into a circulating system so that water is there
16 available that is self renewing. It's not fossil
17 water. And it eventually otherwise discharges out
18 into the ocean from the sea floor, and to use it and
19 then dump it into the ocean just taps into that
20 system without impacting it. By deeper, what is
21 meant here would be drilling down to 600 feet below
22 the level of the ocean floor out in the bay.

23 Apparently -- this technology was, this
24 opportunity was discovered several decades ago by
25 people who were using modern knowledge of plate

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1 tectonics and remote satellite imaging to find and
2 explore for minerals other than water, for oil and
3 metal minerals, and they kept encountering the
4 obstacle of water, and then they finally realized
5 that this might be useful.

6 One reason that it hasn't been more
7 discussed in coastal California is that the people
8 who developed it got burned in Santa Barbara.
9 They -- the people doing this out of Alexandria,
10 Virginia, Earth Water Technologies International,
11 provide the exploration, the funding for the
12 exploration from investors they have access to so
13 that a community doesn't take a risk until the
14 actual building starts, and they invested all that
15 and then the Santa Barbara people got convinced by
16 some desal proponents to go with the desal
17 alternative instead, and we've already heard what
18 happened there.

19 Earth Water Technologies International, is
20 area code 703, telephone number 548.1902. And the
21 book is Modern Groundwater Exploration by
22 Robert Bisson.

23 MR. COLWICK: Kimia, I know you had
24 written on your card. Do you want this one to have
25 your notes?

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1 KIMIA: Hello, everyone. My name is
2 Kimi a. I am a U.C. Santa Cruz student. I've been
3 here for -- I moved here last year, it's my second
4 year here. I have multiple small comments.

5 The first is the problem with purchasing
6 credits for carbon offsets. This doesn't address
7 the fact that you can't just buy credits for carbon
8 and assume that greenhouse gas emissions have the
9 same impact everywhere, so you need to take that
10 into consideration.

11 Second, I'm wondering if the indirect
12 costs of using solar paneling has been evaluated to
13 the full extent, realizing that they require
14 maintenance, serious maintenance every five years.
15 They only last for 35 years. The resource
16 extraction processes are very harmful, so there are
17 indirect carbon emissions.

18 Third, the categories for the noise
19 evaluation are purely anthropogenic; that is, they
20 are only considering human factors. But you have to
21 realize that many species are very, very sensitive
22 to loud noises.. it stresses them out, it affects
23 their fertility, and it can make them go deaf in
24 many cases, so you need to include that in your
25 Environmental Impact Report.

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1 Fourth, how will you resolve this NIMBY
2 issue that I've been hearing a lot about. NIMBY
3 stands for "not in my back yard." I'm looking
4 around, this is just an observation, I see a lot of
5 white, middle-class people who can afford to take
6 the time off and have the resources to provide these
7 comments. If you go to another neighborhood for
8 this facility besides West Cliff, where are you
9 going to go? How are you going to solve this issue?
10 And are you taking it into account that these new
11 sites will probably be in areas of lower income of
12 people who will not have the resources to respond
13 like these people are fortunate enough to do here.

14 Fifth, the social and economic costs are
15 not addressed in the CEQA, but that gives no excuse
16 for this project to not consider those issues.

17 And last, U.C. expansion. Right now they
18 are planning to cut down a lot of trees on upper
19 campus and build a new college to spur the growth of
20 the U.C., and that will also spur the growth of
21 Santa Cruz City and -- probably not Soquel District,
22 but Santa Cruz City. So include that as well,
23 because that's obviously going to spur more growth
24 and I'm sure a lot of people living here, you know,
25 aren't very happy that a lot of students are running

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1 around here, and I don't think they'll want more,
2 either. So, you know, take these things into
3 consideration.

4 Also, potential hazard waste sites in the
5 Environmental Impact Report were very unclear to me
6 to read. It was a 186-page section in the
7 Environmental Impact Report, and it was a very vague
8 list. I did not understand it, so please make that
9 more clear because it's important.

10 Thank you very much.

11 MR. COLWICK: Thank you.

12 And Kimia was our last speaker today
13 unless I have other comment cards.

14 That was our last comment card for the
15 comment session, so with that, I'm going to close
16 the official comment period. We have about six
17 minutes to talk to staff if you'd like, talk to the
18 members of the Board. And, unfortunately, we can't
19 stay for the rest of the evening as much as we'd
20 like to, but there is a follow-up meeting on July 1,
21 so please, all of those of you that can make it,
22 come to the meeting on July 1st. It's an evening
23 meeting. And the comment period's open until
24 July 15th. Thank you very much.

25 (End of proceedings.)

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1 R E P O R T E R ' S C E R T I F I C A T E

2

3 I, PATRICIA GOULET, a Certified Shorthand
4 Reporter in and for the State of California, hereby
5 certify that the foregoing transcript of the Public
6 Comment Hearing is a full, true and complete
7 transcript of the proceedings had at the taking of
8 said Public Comment Hearing, reported to the best of
9 my ability and transcribed under my direction.

10 I further certify that I am not of counsel
11 or attorney for either/or any of the parties to the
12 said hearing, nor in any way interested in the event
13 of this cause, and that I am not related to any of
14 the parties thereto.

15

16

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19 Date: October 10, 2013

PATRICIA GOULET,
CSR Number 8315

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City of Santa Cruz
and
Soquel Creek Water District

Public Comments Re:
Draft Environmental Impact Report for the Proposed
scwd2 Regional Seawater Desalination Project

Date: July 1, 2013
Time: 6:30 p.m.
Place: First Congregational Church
900 High Street
Santa Cruz, California 95060
Reported by: Patricia Goulet,
Certified Shorthand Reporter,
License Number 8315

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- 1 CITY WATER COMMISSION
- 2
- 3 ANDY SCHIFFRIN Chairman
- 4
- 5 DAVID BASKIN Vice-Chairman
- 6
- 7 GEORGE MEAD
- 8 DONNA MEYERS
- 9 DAVID STEARNS
- 10 WALT WADLOW
- 11 LINDA WILSHUSEN
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1 Santa Cruz, California July 1, 2013

2 PROCEEDINGS

3 (Following the presentation, the following
4 comments from the public were had:)

5 MR. COLWICK: Thank you all. I'm now
6 going to give a couple of introductory remarks.
7 I've got a few additional speaker cards which brings
8 the total to just about 50. Let me hand you . . .

9 Again, just to reiterate, the Draft EIR is
10 out. It's posted on the website. It's also in
11 several local repositories, including the City of
12 Santa Cruz and the Soquel Creek Water District
13 offices. The Community Guide is also posted on the
14 website.

15 You can make comments up until August 12th
16 as covered in a variety of different materials
17 tonight, as well as there was a press release made
18 Friday that announced that change to the extension
19 period, based on input from the community.

20 Just, on the back of the program there's
21 some -- excuse me.

22 On the inside of the program there are
23 some suggestions on how to make effective comments.
24 Really, the basis is to focus on the purpose and
25 need, or the project description including the

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1 specific environment assessments that were analyzed
2 and the impacts that are described in the
3 department, the mitigation measures that are
4 proposed, and finally the alternatives that were
5 considered in the document, or those that were
6 considered eliminated from further study.

7 It's best if you can provide as much
8 detail as possible, be specific, and use facts where
9 available. Finally, you can review the program, you
10 can review that up until the August 12th comment
11 period.

12 What may result out of the comments
13 submitted both tonight and at the previous meeting,
14 and up to August 12th, are several things. One,
15 there may be additional information that needs to be
16 considered and evaluated. There needs to be
17 additional analysis with regards to the comments
18 that are provided. There may be project
19 refinements, and there may be changes to the Draft
20 EIR. And both the comments that are submitted and
21 the responses to those comments will be included in
22 the Final Draft EIR as part of the full record of
23 the EIR process.

24 Again, we've got about 50 speaker cards.
25 Andy will chair. We'll take care of facilitating

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1 the comment period. I will be here with reminders
2 for folks that just indicate just kind of the time
3 limit, trying to help people stay on time. I'll
4 have a one minute, 30 second card, and I'll be
5 timing them from here.

6 Again, when you get up to the microphone
7 we'd appreciate you stating your name clearly and
8 any affiliation that you may have. Respect the
9 three minute time limits, and please be respectful
10 of all your community members here tonight.

11 CHAIRMAN SCHIFFRIN: Thank you.

12 Before we open it to public comments, I
13 would like to say a few words. I teach a class at
14 the university on CEQA, so I can't resist saying
15 something about the CEQA process, because it's very
16 confusing to a lot of people. I know it is for a
17 lot of students. And I just want to clarify a
18 couple of points.

19 One point is that the Environmental Impact
20 Report is the City's Environmental Impact Report.
21 It's not the consultants'. The City is responsible
22 for its adequacy. So if there are concerns about
23 the EIR, it's really the City that needs to respond
24 to those concerns.

25 The second thing I'd like to say is that

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1 it's important to distinguish between the project
 2 and the EIR itself. Under the State law, CEQA, the
 3 City Council and the water district cannot act on
 4 the project until the CEQA process is completed.
 5 That's what's going on now.

6 When that process is completed and they
 7 certify the Environmental Impact Report, then they
 8 have to make a separate decision on the document.
 9 And Ann referred to this is that's the point where
 10 the decision can be made as to which intake facility
 11 is going to be used and which site for the plant is
 12 going to be selected as the preferred alternative.
 13 At this point, they're all being analyzed in the
 14 EIR.

15 So it's very helpful in terms of those who
 16 are concerned about particular intake locations to
 17 present evidence tonight about whether there are
 18 problems with particular locations, because the
 19 Final EIR is going to respond to everybody's
 20 comments regarding that kind of input.

21 If you've read the EIR, you can talk about
 22 its adequacies or inadequacies, or how it needs to
 23 improve, but the comments still can be very relevant
 24 if you haven't read the EIR if you talk about how
 25 the project as you understand it, what kind of

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1 impacts it might have that are environmentally
2 related.

3 So, I guess that's all I wanted to say. I
4 hope the process is clear why we're here tonight.
5 We're trying to get your comments on how to improve
6 the EIR, make sure that the EIR meets the
7 requirements of the law.

8 You have, even though your time to speak
9 is limited to just three minutes, you're encouraged
10 to make any additional comments in writing, submit
11 them by August 12th, and they also will be responded
12 to specifically in the Final EIR.

13 So, again, thank you for coming.

14 And the way I'm going to call people is
15 I'm going to call out two names so that people can
16 get ready to go, and then when the second person
17 speaks, I'll call out two more names so that the
18 next two people can start lining up for the -- at
19 the microphone to speak. So, hopefully, we'll be
20 able to move along smoothly. The intention is that
21 since we are going to allow three minutes to
22 everybody, we are going to go beyond the amount of
23 time that was originally scheduled, so we're going
24 to take a ten-minute break at 9:00 o'clock so that
25 people can do what they need to do and stretch a

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1 little bit.

2 So the first person I have listed here is
3 Erica Aitken. If she could come forward. And the
4 next person is Rama Khalsa.

5 Ms. Aitken.

6 MS. AITKEN: Thank you. Right there.

7 CHAIRMAN SCHIFFRIN: Is that microphone
8 on? (Brief pause.)

9 MS. AITKEN: Thank you.

10 My name is Erica Aitken. I own a business
11 in Santa Cruz, and I also live on the lower west
12 side with my family.

13 Before I ask my question, I'd like to say
14 something about the opponents of the desalination
15 project. I want to say that they're not die hard
16 refusing it. Everything I've read or heard has been
17 thoughtfully researched and intelligently
18 articulated. They're not knee-jerk against growth
19 and development, but weary of growth for the sake of
20 filling a few pockets at the expense of the whole
21 community and ecological balance, and we need to
22 keep that in mind, and the debate that's going to
23 continue until the vote.

24 Saturday a friend of mine attended a
25 special tour at the U.C.S.C. farm given by the new

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1 director, Professor Daniel Press. During the
2 Q and A, former Santa Cruz Mayor Celia Scott wanted
3 to know where the water for the gardens was coming
4 from. Daniel Press answered by saying that the
5 U.C.S.C. farm uses Santa Cruz City water, and that
6 the university would like to tap into the aquifers
7 below, but that there is an issue about that at the
8 City that he couldn't elaborate on.

9 So here's my question. I've read in the
10 draft that the City has done some research in the
11 past 30 years on the possibility of tapping new
12 aquifers, but I've seen no research at all done
13 about the U.C.S.C. ones, and there are many of them.
14 Will the City and U.C.S.C. partner to explore this
15 rich and probably much less expensive resource? If
16 not, would you please address the reasons why.

17 And finally, I would like to ask -- join
18 the people who would like to see these comments and
19 feedback posted publicly before the final draft is
20 published.

21 Thank you very much.

22 CHAIRMAN SCHIFFRIN: Thank you.

23 Before you start, the next two are
24 Judy Warner and Michelle Noroyan.

25 MS. KHALSA: Good evening. I'm

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1 Rama Khalsa. I'm a resident of Soquel, and the
2 former Health Director for the County of Santa Cruz.

3 I wanted to start with comments on the
4 EIR. I actually felt it didn't adequately address
5 what happens if we don't have new sources of water
6 that aren't just relying on the weather and good
7 luck, and hoping that the ocean doesn't continue to
8 rise and we don't have some of the issues we already
9 have in the Soquel District which relate to
10 saltwater intrusion.

11 The other concern I had was along these
12 same lines, that health facilities, and I'm speaking
13 of our hospitals that are in this district, there's
14 no way they're going to reduce their water by
15 35 percent without triggering a lot of problems with
16 disease control in the hospitals.

17 So, you know, to me, an EIR needs to
18 really lay out what all the impacts are, including
19 the impacts of no action, or just the austerity
20 alternative of everybody's going to make a
21 35 percent cut.

22 Also, State Licensing is continuing to put
23 pressure on both the hospitals and the nursing homes
24 about increasing use of water related to
25 cleanliness: giving patients full baths when they

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1 come in, washing their hands every 15 minutes and
2 not with alcohol, which has some other issues that I
3 don't want to go into.

4 So I just feel that if the 35 percent
5 reduction is the one that gets voted in, it's going
6 to have some serious issues, particularly in the
7 health system, and also related to, okay, if the
8 hospitals can't do it, does that mean other people
9 conserve 50 percent? And how do we elicit that? We
10 need something we can really count on.

11 The other thing is, I don't feel the EIR
12 addressed the impacts on jobs, quality of life,
13 people who like to garden, people who are trying to
14 grow some of their own food, property values. And
15 we've seen from some of our neighboring counties who
16 have moratoriums and other things, there are other
17 impacts that are important.

18 So my recommendation, too, is to address
19 these issues more fully in the EIR. And one of the
20 concerns I heard about, I went to a number of the
21 engineering --

22 MR. COLWICK: Ten seconds.

23 MS. KHALSA: -- engineering meetings that
24 talked about recycled water. And we at the health
25 department tried to get fluoride in the water and it

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1 was readily rejected, so I can't see the City
2 supporting sewage water recycled when we can't even
3 have fluoride in the water to protect bones and
4 teeth.

5 Thank you.

6 CHAIRMAN SCHIFFRIN: Thank you.

7 MS. WARNER: Hi. I'm Judy Warner, west
8 side resident, retiree.

9 The Draft EIR was very well organized and
10 has lots of information in it, but one thing I'd
11 like the final to include is what the future of
12 water conservation efforts would look like in
13 Santa Cruz without a new source of water that desal
14 would provide.

15 My husband and I have lived in Santa Cruz
16 for many years, and we're mindful of the need to
17 conserve water. We have low-flow toilets, dual
18 flush, low-flow shower heads. We have smart
19 appliances that conserve water. And we also have a
20 drip irrigation system.

21 I've been keeping track of the amount of
22 water that we use over the last few months. In
23 February and March we used 53 gallons on the
24 average. In April it was 81 gallons. And in May
25 and June, 68 gallons. I'm wondering if the

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1 projections for water conservation in the future are
2 realistic, and if we can have more data on that.

3 CHAIRMAN SCHIFFRIN: Thank you.

4 The next two people are Ross Gibson and
5 Bill Cunningham.

6 MS. NOROYAN: Hi. I'm Richelle Noroyan.
7 I'm an east side resident, and I've lived in
8 Santa Cruz as long as I can remember.

9 This proposal wasn't put forth on the fly
10 and it includes 20 plus years of coming to the
11 conclusions that we have in this proposal, and so
12 I'm hoping the EIR really emphasizes that. It's
13 very important. I know that it does now, but I
14 think in some of the executive summaries it needs to
15 be a little clearer on that.

16 I think the EIR needs to reflect the worst
17 case scenarios, not just the most hopeful, wishful
18 thinking projections in terms of impacts. The
19 habitat conservation plan for fish habitat needs to
20 definitely be projected at a tier 3 level, not
21 anything less than that.

22 I would also like to see the EIR consider
23 a pledge to make the desal building a lead certified
24 building. I think that's really important.

25 This plan also fails to show the

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1 environmental impact. If water kills all of our
2 trees and our tree canopy and other greenery in the
3 case of a severe drought, trees give out oxygen and
4 cut CO2 emissions, so what will happen to the air
5 quality, and how long will it take to regain those
6 trees back if we get to a situation where we allow
7 the trees to die.

8 I think this is the least growth-inducing
9 plan put forth. There's a legal limit. It's
10 written into the law. That really needs to be
11 emphasized because the other alternatives don't have
12 that.

13 I have no idea if this can be written in,
14 but fire danger. When you have dry conditions it
15 leads to a higher likelihood of brush fires. Can
16 the EIR take this into consideration in terms of
17 wildfires, how much that would hurt both human and
18 animal habitats, and affect air quality in the
19 community.

20 And I just -- you know, the goal tonight
21 is an EIR that is factual, no hyperbole, that allows
22 residents to make an informed decision. So with
23 that, let me end this in some rhetoric. I can't
24 think of a more important responsibility a city has
25 than to provide an ample supply of water to its

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1 residents.

2 Thank you.

3 CHAIRMAN SCHIFFRIN: Thank you.

4 Is Bill Cunningham here?

5 Okay. Thank you.

6 MR. GIBSON: Hi. I'm Ross Gibson. I live
7 on West Cliff Drive overlooking Mitchell's Cove.

8 I like West Cliff Drive and I don't want
9 to sacrifice it to an industrial project. The
10 project should not be in a private neighborhood to
11 begin with, but this is more than a private
12 neighborhood, this is a tourist attraction, as well.

13 One of the sites proposed for the
14 substation is on Bethany Park, which is the oldest
15 public park on the west side. I don't want to see
16 that disappear. That's the one on Woodrow. The
17 other property was on David Way.

18 Now, I was here in 1988 when the sewer
19 outfall extension was done right in front of my
20 house. I see here that the EIR has a whole list of
21 less than significant impacts on everything. And
22 I'm dubious because when the -- let's just say
23 you're going to excavate 15 to 20 feet into the
24 concretionary mud stone in order to create the
25 outfall. When they did that last time, they said

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1 that it would require 68 blows per foot to get
2 through the purissima foundation, and then 68 blows
3 per inch to get through the mud stone ledge and the
4 porcelanite. And that's just to create one
5 three-foot area of a pit. So when you extend that
6 out in how much it's going to be, it's a significant
7 impact for the neighbors.

8 And I remember we had so much shaking in
9 our house and property damage to the homes around
10 there that every -- until we learned that we weren't
11 the only ones who had sued the project, we
12 discovered that everyone had been told that they
13 were the only ones who had an objection and had any
14 property damage.

15 So let's see.

16 I don't think the cost is cheaper in the
17 West Cliff Drive neighborhood as the cost of buying
18 lots on West Cliff Drive. I haven't noticed that
19 prices are going down on West Cliff property. And
20 also you didn't factor in -- when you said that the
21 cost is cheap, you didn't factor in the cost of
22 lawsuits. So -- (applause.) Thank you.

23 CHAIRMAN SCHIFFRIN: Thank you.

24 The next two speakers are
25 Robert Cunningham and then Jim Warner.

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1 MR. CUNNINGHAM: My name's
2 Bill Cunningham. I'm a retired dentist. I live on
3 the west side. I'm not here to argue that we may
4 need an alternative source of potable water. I
5 understand population growth and I believe climate
6 change most likely will bring more drought
7 conditions.

8 My son worked for two summers at the
9 Monterey Bay salmon project on Scotts Creek. I
10 believe that we must ensure sufficient water flows
11 in the coastal creeks in the San Lorenzo River to
12 support a healthy salmon and steelhead habitat. I
13 do not, however, support or believe that our
14 government should tell us that we have to choose
15 between water and quality of life. That is a false
16 choice.

17 If it is true that we live in a society
18 where the government is of the people, by the
19 people, and for the people, then the people must
20 demand that the government provide a solution that
21 does not impact our quality of life. When I say
22 "government," I mean city, county, state and federal
23 government. We all know the involvement of the City
24 of Santa Cruz. The Soquel Water District is in the
25 county. If it were not for the impact of the

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1 university, which is a State institution, and its
2 water demands, we would not be here tonight.

3 Sam Farr, who is a very good friend of
4 mine, was absolutely instrumental in creating a
5 Monterey Bay National Marine Sanctuary. I'm sure
6 that when Sam comes to see and understand this issue
7 clearly, he, too, will see that government: city
8 county, state, and federal, must come together and
9 find a long-term solution that provides for long-
10 term water needs without compromising the quality of
11 life of the people who live in Santa Cruz.

12 Mr. Chairman, I frequently see you walking
13 on West Cliff Drive. West Cliff is very much a part
14 of the heart and soul of Santa Cruz. Can the City
15 work with the County? Can the County and City work
16 with the State? Should we ask -- should we contact
17 John Laird and ask him and the State Department of
18 Nature Resources and State Parks to work
19 cooperatively to find a solution that does not
20 compromise the quality of life of the people of
21 Santa Cruz.

22 Are we to have our options limited because
23 the State will not work with the County, and because
24 the County are will not work with the City?

25 My family has owned property along the

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1 shores of Mono Lake since 1919. In the 1940s we and
2 ten other private property owners along the shores
3 of Mono Lake were assured --

4 MR. COLWICK: 30 seconds.

5 MR. CUNNINGHAM: -- by the State of
6 California and the Los Angeles Department of Water
7 and Power that their proposed diversions of water
8 from the streams feeding the lake would not
9 adversely impact the environment of the Mono Basin.
10 Once it became clear that all the consequences of
11 those diversions were monumental, it took 11 private
12 property owners, the Audubon Society, Cal Trout, and
13 a handful of hippie biologists from U.C. Berkeley to
14 prevail in litigation that went all the way to the
15 U.S. Supreme Court.

16 The solution. My question is: Why can't
17 the intake be located north of the Long Marine Lab?
18 It would be more cost efficient, it will not impact
19 the artichokes and the brussel sprouts, it is a
20 shorter distance to the proposed three desalination
21 plant sites, consequently the cost will be less.

22 The only impacts --

23 MR. COLWICK: Time, sir.

24 MR. CUNNINGHAM: -- on State lands with
25 the placement underground.

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1 CHAIRMAN SCHIFFRIN: You can submit your
2 comments in writing. Thank you.

3 Before Mr. Warner, is Robin Cunningham
4 here?

5 AUDIENCE MEMBER: (Inaudible.)

6 CHAIRMAN SCHIFFRIN: Okay. Thank you.

7 So --

8 MR. CUNNINGHAM: Can I wrap up one
9 paragraph?

10 CHAIRMAN SCHIFFRIN: You can submit it in
11 writing. We're not going to be able to accede time
12 to other people.

13 After Mr. Warner comes Carol Fuller, and
14 then Jane Yett.

15 MR. WARNER: My name is Jim Warner, and I
16 live on the west side.

17 I read a couple of hundred pages of the
18 Environmental Impact Report, and I've read
19 environmental impact reports before, and I was
20 pleasantly surprised by this one. This is a very
21 high quality document. And so all I really wanted
22 to say was thank you to the Commission and to the
23 staff for putting together such a well thought out
24 piece of work.

25 CHAIRMAN SCHIFFRIN: Thank you.

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1 Carol Fuller. And Jane Yett, are you
2 here?

3 MS. FULLER: My name is Carol Fuller, and
4 I'm a 40-year resident of the city of Santa Cruz.

5 I also would like to commend the staff for
6 taking a long view in starting this process 25 years
7 ago. It seems to be a really good solution to two
8 very unique districts who have quite different
9 problems, and that kind of cooperation is to be
10 commended, and I think to be encouraged.

11 I think one of the concerns I have is that
12 the EIR doesn't -- I have not read all 600 pages,
13 but it doesn't -- I'm concerned that it doesn't give
14 due justice to the real immediate and dire harm that
15 Soquel is in. Even to consider severing the two
16 districts, it just doesn't make any economic sense.
17 It's not feasible for either district to foot the
18 bill alone. And in our case, we only have periodic
19 droughts, so it's a big expense for a lot of idle
20 years. For Soquel, their problems, they're right
21 now, they're yesterday. And they obviously can't do
22 it alone, so this is a good cooperative project.
23 But I am concerned that there's not enough
24 addressing of the really dire consequence for
25 mid-county.

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1 The second thing I'd like to say is that I
2 think everybody in the room, no matter what they
3 think about this particular project, recognize that
4 we're under a really threat of climate change and
5 nobody seems to know what that's really going to
6 mean in any given area. And this seems to me to be
7 just long-range planning. It's like an insurance
8 policy.

9 So, you know, I don't know how much you
10 can actually consider climate change considering
11 that climate scientists don't really seem to know
12 what's going to happen, although they agree that the
13 phenomena is picking up speed faster than they ever
14 thought it would.

15 Thank you.

16 CHAIRMAN SCHIFFRIN: Thank you.

17 The next two speakers are Steve Newman and
18 Bruce Brownlee. Would you line up, please.

19 MS. YETT: Hello. My name is Jane Yett.

20 I've been in Santa Cruz for 40 years.

21 Thank you for everyone who's working on this. I
22 want to make two quick points related to the EIR.

23 One is that one of my things that I'm most
24 interested in is our laws. If in Santa Cruz we
25 were able to be free of watering all of our green

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1 lawns, that would make a huge difference in the
2 amount of water needed.

3 Our lawns historically come from Scotland
4 and other areas where it's the weather that does the
5 watering. But here we've got to do watering, flood
6 our yards in order to keep them green. I think it's
7 time for us to say climate change is more
8 significant than green lawns.

9 Thank you.

10 And my other small point -- or quick
11 point, I should say, it's an important one, is that
12 people are making important comments here tonight,
13 and it's important for transparency, I think, for
14 our community that those comments be posted as soon
15 as possible after tonight so that everyone can have
16 access to seeing them, and we don't have to wait
17 until the EIR is completed and we can see what other
18 people have said at other meetings.

19 Thank you.

20 CHAIRMAN SCHIFFRIN: Thank you.

21 Steve Newman.

22 MR. NEWMAN: Hello. I'm Steve Newman.
23 I've lived here 28 years.

24 I want to second and third the two
25 suggestions that were already made about

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1 transparency to put all these comments as they're
2 received onto some publicly-accessible website. And
3 why not? It's so easy to do. There's a lot of
4 people interested obviously, and a lot of people who
5 are interested couldn't be here. Do they have to
6 wait a year to hear what's said here?

7 Secondly, I think the alternatives are not
8 adequately considered in the EIR. The Draft EIR
9 says that various alternatives were examined and
10 discarded because they could not satisfy the goal of
11 the project. This is unclear. Does it mean,
12 A), that no single alternative could meet the
13 project goal, or, B), that the alternatives together
14 couldn't do so? Which is it?

15 Add together a bunch of inadequate fixes
16 and you end up with an inadequate fix. There are
17 very knowledgeable people around, people with Desal
18 Alternatives, Desal Response and many others, who
19 have studied the situation very carefully. Was
20 their input invited and included in the EIR? I
21 think the alternative section is inadequate and
22 needs to be redone.

23 The next point is that there's no serious
24 discussion of the monetary cost of this. The
25 current estimate is 120 million. I have no idea

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1 where that figure came from, but it was in the
2 Sentinel. Where is the itemized bill that explains
3 this? Does that cover just building the pumps,
4 hydro plants? Does it include the interest payments
5 for the money borrowed to build it?

6 You buy a million dollar house with cash
7 it costs a million. But if you buy it with a
8 mortgage, it costs three million. Should we
9 multiply cost estimates by three to account for
10 financing? Where can this financial information be
11 found?

12 Secondly, cost overruns. The current
13 estimate of 120 million is based on there being no
14 overruns. How realistic is that? The cost has
15 already tripled from 40 million a few years ago.
16 Carlsbad had an initial estimate of 270 million and
17 now the cost is already one billion, and it's still
18 not up and running. This seems to be the general
19 experience.

20 Add to the costs of the borrowed money and
21 the to-be-expected overruns, and the actual cost
22 could be closer to one billion than 100 million. Is
23 that something we can afford? The City is already
24 cutting social needs, things like Meals on Wheels
25 and dental care for poor children.

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1 Our finances --

2 MR. COLWICK: Ten seconds.

3 MR. NEWMAN: -- is part of our
4 environment.

5 Finally, I don't get much confidence in
6 the process because of the appearance of conflict of
7 interest. The City of Santa Cruz and its water
8 director have an apparent conflict of interest by
9 being dues-paying members and officers of CalDesal,
10 the desal industry group dedicated solely to
11 promoting desalination. Why is the City not a
12 member of Desal Alternatives or Desal Response, as
13 well? These organizations have done lots of
14 research into other approaches to solving the water
15 problem.

16 CHAIRMAN SCHIFFRIN: Thank you.

17 The next two speakers are Aldo Giacchino
18 and Paul Gratz. If you could line up, please, I'd
19 appreciate it.

20 MR. BROWNLEE: I'm Bruce Brownlee, and
21 I've lived in Santa Cruz for 30 years. I live on
22 West Cliff Drive and the reason why I'm here is one
23 of the proposed pump stations is located right next
24 to my house, and I don't know anybody in this room
25 that would elect to have that happen to them.

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1 I'm very concerned about the use. It's an
2 industrial use. Two other locations on West Cliff
3 Drive were mentioned earlier. This one is on the
4 corner of Merced on a couple of residential lots,
5 just adjacent to my property. I'm concerned that
6 these -- this is a misuse of zoning. It's all zoned
7 residential. These pump stations should be located
8 in the appropriate zoned areas. Ideally in the
9 industrial plant location, or in the three parcels
10 in the commercial locations down by the harbor.

11 It's very quiet out there. When I wake up
12 in the morning, you can almost hear a pin drop. And
13 I have my doubts about the noise that these pumps
14 are going to be making, and the transformers. And I
15 think that the City, or the report should include a
16 actual mockup of these pump stations and
17 transformers, and then let's go out in the field and
18 set them off at 7:00 in the morning.

19 Thank you.

20 CHAIRMAN SCHIFFRIN: Thank you very much.

21 MR. GIACCHINO: Good evening. My name is
22 Aldo Giacchino. I'm a resident of the west side,
23 very close to the location of some of the pumps.

24 I'm a firm opponent of this project, but I
25 reserve comments on that issue when it comes up

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1 before Council. What I'd like to address right now
2 is some major inadequacies in the Environmental
3 Impact Report.

4 One of the glaring ones is the one that
5 relates to the potable water distribution system and
6 its location. Quoting from the EIR, pipeline to
7 convey the product, water, it's called product, by
8 the way, from the plant at the -- out on the west
9 side, the pipeline to convey this will be attached
10 to the water distribution system that is in
11 proximity of the desal plant either on Delaware or
12 one of the other streets.

13 Then, what is going to happen is it
14 appears that the water that is -- that will be
15 sucked out of the City's distribution system to ship
16 it to Soquel, and the void that is thus created by
17 this water extracted from our system, this void
18 would be filled by the injections of desalinated
19 water directly into the west side distribution
20 system without going through the Graham Hill water
21 treatment facility, without being fully mixed with
22 the rest of the supply. Therefore, as water demand
23 fluctuates during the day, the mixture in the west
24 side will change minute by minute, because the water
25 will come from a different supply than the central

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1 supply.

2 In effect, west side residents will be fed
3 a different kind of water, manufactured water, of a
4 variable and unstable quality, while the rest of the
5 customers will continue to be fed water from the
6 heavens. This quality difference and quantity
7 variables will have a major impact on businesses in
8 the west side that depend on the steady quality of
9 water for their products, like microbrewers, food
10 processors, laundries, and others. It is very
11 unfair and inequitable treatment that is planned for
12 the west side.

13 MR. COLWICK: 30 seconds remaining.

14 MR. GIACCHINO: So the question that I
15 have is why these problems have not been identified
16 and designated as significant in the Environmental
17 Impact Report. They have been soft pedaled.

18 And how are all customers going to receive
19 the same uniform level of water type and quality
20 given these problems and conditions?

21 We on the west side do not want to drink
22 manufactured water that is different from what
23 everybody else is going to drink.

24 Thank you.

25 CHAIRMAN SCHIFFRIN: Thank you.

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1 And the next two speakers are Karin Grobe
2 and Mike Rotkin. If you'd line up, please.

3 MR. GRATZ: Good evening. I'm Paul Gratz,
4 31-year resident of Santa Cruz. I'm a retired
5 health planner and policy analyst and a community
6 organizer. I'm also the co-author of Measure P, and
7 I'm a member of Desal Alternatives.

8 I want to commend everyone for attending
9 this public event tonight. It's real clear that
10 desal is on the radar screen.

11 We are residents, business owners,
12 workers, students, retirees, and rate payors. Many
13 of us are also water citizens and resource stewards
14 working democratically to stop desal and to create
15 the safe, reliable community responsive water
16 future.

17 So far with nearly \$17 million spent or
18 budgeted to pursue and promote desal without a voter
19 mandate, is the Draft EIR all that you have to show
20 us for this costly six-year-old scheme that is
21 burning a hole in everyone's pocketbooks?

22 URS Corporation, Kennedy Jenks, and Data
23 Instincts, which are all participating tonight
24 although they've not been identified yet, are among
25 the stable of desal consultant firms hired by the

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1 City to prepare this enormous, yet less than
 2 impartial and less than scientific EIR evaluation
 3 study. Interestingly, both URS Corp. and Kennedy
 4 Jenks also prepared the EIR for the university's
 5 long-range development plan that sets forth campus
 6 growth goals which drive one of the reasons to build
 7 an expandable desal factory on the city's west side.

8 What we need to know, does this cozy
 9 EIR/City/U. C. S. C. relationship pass the desal EIR
 10 conflict of interest smell test? Furthermore, the
 11 City and Soquel Water District are founding members
 12 of the private lobbyist organization registered as
 13 CalDesal, which advocates for widespread desal
 14 development and industry deregulation statewide.
 15 Currently, five of the City's consultants sit on the
 16 CalDesal board along with our water department
 17 director Bill Kocher who is the vice-chair, and City
 18 water commissioner Walt Wadlow --

19 MR. COLWICK: 30 seconds.

20 MR. GRATZ: -- second on our left.

21 Again, does this kind of intertwined
 22 financial and political relationship pass the smell
 23 test?

24 Finally, how are local news organizations
 25 and community journalists fulfilling their important

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1 role as government watch dogs? Who in the news
2 media is following and reporting on the desal money
3 trail and the web of political connections?

4 CHAIRMAN SCHIFFRIN: Thank you.
5 Karin Grobe.

6 MS. GROBE: My name is Karin Grobe and I
7 live on the city's west side.

8 I thank you for the opportunity to speak
9 on the Draft EIR for the desal project. And thanks
10 also to Hilary Bryant and others for extending the
11 comment consideration period.

12 I'm concerned that the Draft EIR
13 shortchanges City residents in assuming 15 percent
14 is the maximum tolerable level for a peak season.
15 In assuming 15 percent is the maximum tolerable
16 level for a peak season water shortage, the EIR
17 needs to reevaluate customer willingness and ability
18 to conserve water in times of drought. Why was the
19 tolerable peak season water shortage changed from
20 25 percent to 15 percent? What research is behind
21 the 15 percent figure?

22 The City of Santa Cruz Integrated Water
23 Plan of June 2003 said the highest level of shortage
24 tolerable to water customers was 25 percent. That
25 figure was based on research for the water

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1 curtailment study. This research helped us to
2 achieve a greater understanding of the manner in
3 which different levels of peak season water supply
4 curtailment affect different groups of customers.
5 Why was the 25 percent figure arrived at after
6 considerable research abandoned in favor of the
7 15 percent figure?

8 I lived in Santa Cruz during the '76/'77
9 drought, the most critical on record. In the second
10 year of the drought, there was a 37 percent
11 shortfall in water supply. Water was rationed. Our
12 household, which included a cloth-diaper-wearing
13 baby, managed quite well with our allotment of
14 water. We did not plant a vegetable garden or buy
15 many new plants that year, so we had plenty of water
16 for household needs. The water rationing was often
17 the topic of conversation with friends and
18 relatives, but none reported that they were
19 suffering.

20 I never heard mention of a business that
21 failed due to the 1976/'77 rationing. Although
22 desal supporters talk of drought-related business
23 failure, I don't believe any businesses would fail
24 if we had a 25 percent shortage now.

25 The allocation system described in

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1 Table 3-5 of the water shortage contingency plan of
2 2009 shows businesses would receive 90 percent of
3 their normal water deliveries in a year of
4 25 percent shortfall.

5 MR. COLWICK: 30 seconds.

6 MS. GROBE: This 90 percent allotment
7 would not be an undue hardship for business.

8 Table 3-10 of Section 3, background of the
9 DEIR shows that with current water demand, in three
10 percent of years, Santa Cruz would have a peak
11 season water shortage of up to 29 percent. Three
12 years out of 100. There are numerous ways to reduce
13 that shortfall of 25 percent -- to 25 percent, or
14 even below as we will be hearing today.

15 In summary, the Draft EIR is based on the
16 faulty assumption that 15 percent is the maximum
17 tolerable level from a peak season water shortage.
18 This assumption is not research-based and it
19 underestimates water demand with city and customer
20 willingness to conserve water and accept curtailment
21 in times of drought.

22 Thank you.

23 CHAIRMAN SCHIFFRIN: Thank you.

24 The next two speakers are Lorna Torko and
25 Karen Minkowski. Could you line up, please.

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1 MR. ROTKIN: Hi. I'm Mike Rotkin. I'm a
2 former five-time mayor of the City of Santa Cruz,
3 currently a resident where I've lived for the last
4 43 years on the west side of Santa Cruz.

5 I first had a technical concern about the
6 EIR in discussing carbon neutrality. Because the
7 City and Soquel Creek had not yet chosen which mix
8 of these 11 possible projects to reduce carbon
9 demand would be selected, those might have their own
10 environmental studies necessary before they're
11 finished. The EIR takes the easy path of saying,
12 well, let's just look at what the impacts would be
13 if we bought certified carbon credits on the market.

14 That's the least attractive of the
15 possibilities as far as I'm concerned, but I think
16 the Final EIR needs to find a way to address or
17 assess what the possible impacts would be of these
18 other alternative ways of actually producing real
19 solar energy, wind power, et cetera, and reduce
20 energy demand with super efficient pumps here in
21 Santa Cruz, so I'd like to see that addressed, a lot
22 of expansion of that in the Final EIR.

23 My other concern is that the EIR, the
24 Final EIR needs to be much clearer about the impacts
25 of the no-project alternative. As was evidenced by

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1 the last speaker, people would think we're sort of
2 in the situation we were in 1977 -- '76/'77. But we
3 are currently at half, both the District and the
4 City, at half the State average of water use, one of
5 the lowest water users in the State.

6 The things that people did to save a lot
7 of water in '76 and '77 are no longer available.
8 You can't put a brick in a low-flow toilet. You
9 can't decide that you're no longer going to water a
10 lawn that you've already been paid 50 cents a square
11 foot to replace. The kinds of things that people
12 have already done like low-flow washing machines and
13 dishwashers mean that the amount of level that's
14 left to save water in the house is very, very low.
15 And I think that the -- although the EIR does
16 address these concerns, it needs to be in a way
17 that's much more careful.

18 Again, the last speaker refers to the
19 29 percent figure that appears in chart 3-10 in the
20 EIR. And if you look at that table, 29 percent is
21 how much water you have to replace. If everything
22 goes well, if you don't, in fact, meet the demands
23 for the fishing regulatory agencies, if you don't
24 have serious shortages of water, and if you can
25 conserve a lot more water than we do now, but none

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1 of those are possible --

2 MR. COLWICK: 30 seconds.

3 MR. ROTKIN: -- and so I'd like to see a
4 Final EIR that's much clearer about the impacts on
5 this community when there's not water for gardens,
6 for hospitals, for schools, and the kinds of things
7 that make a community a decent place to live.

8 Thank you.

9 CHAIRMAN SCHIFFRIN: Thank you.

10 Lorna Torko.

11 MS. TORKO: Hello. My name is

12 Lorna Torko.

13 And I'd like to say that the west side is
14 a very poor place to put this because zoning is a
15 residential neighborhood, and that's an industrial
16 use, and it's going to affect all of our lives.
17 Everybody talks about environmental impacts. Well,
18 here's the people saying it's going to affect us
19 very negatively, and it's not the right settlement
20 for the project.

21 Also, we have a moral consideration being
22 that we are a sanctuary for marine life, and I don't
23 feel that the EIR's completely addressed the brine
24 which contains no oxygen and sinks; saltwater, which
25 we know; heavy metals; and other pollutants. These

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1 things, I don't care if you're going to mix it up,
2 it's going to still be going out there, and it's
3 going to affect our marine life. And we have a
4 moral way to -- we can't do this. There's other
5 ways we can do it. We could all have cisterns.
6 There's a lot of intuitive ways that we could save
7 water, and I'm hoping we can as a group find them.

8 Thank you.

9 CHAIRMAN SCHIFFRIN: Is Karen Minkowski
10 here?

11 The next speaker is David Casterson, and
12 then there's Jamie Grove [sic], I think it is. And
13 then Ron Pomerantz. Please line up so I know that
14 you're here.

15 MR. CASTERSON: Hello, my name is
16 David Casterson. I'm the chair of the Santa Cruz
17 group of the Sierra Club, and I'd like to read to
18 you the Sierra Club National's position on
19 desalination.

20 Desal should not be used for water supply.
21 The needs that can be met by conservation, water
22 recycling and other water use efficiency practices.

23 The Santa Cruz group has voted to have me
24 make the statement that we don't feel that you have
25 looked at the alternatives significantly enough.

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1 You've cancelled some as unfeasible, and I don't
2 think that that actually merits the name Santa Cruz.
3 We are a people that really care about the
4 environment. We don't dismiss things. We explore
5 them.

6 And I would like to second the comments by
7 Mr. Newman who asked, and other speakers, that we
8 really need to look at the section that talks about
9 alternatives, and reopen some of those for
10 feasibility.

11 In closing, let me say that the human
12 footprint is big enough in Santa Cruz County. We
13 waste far more than we need to. We use pure water
14 on our roofs, or use gray water running off our
15 pipes. We need to live within the water budget
16 nature has given us and not try to make more water.

17 Thank you.

18 CHAIRMAN SCHIFFRIN: Next is
19 Ron Pomerantz -- or Mr. Grove, is Ron Pomerantz and
20 then Bradley Comito. I apologize if I've said your
21 name wrong.

22 MR. GROVER: No problem.

23 My name is Jamie Grover. I'm a 25-year
24 resident of Santa Cruz, and a concerned water user.

25 Regarding the Draft EIR at hand, I believe

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1 that many of those speaking today will point out
2 numerous demonstrably false conclusions, and I urge
3 you to address those, of course, but I also urge you
4 to restate the project objective, to give
5 appropriate consideration to the several, far more
6 viable and less expensive and greener alternatives
7 that exist. Specifically among these, some of the
8 conservation measures, but the largest, the big
9 fish, in my view, is water transfers.

10 For the \$15 million or so that has already
11 been spent in studying this project, it is my
12 understanding from discussions with qualified water
13 engineers that we could have easily laid all the
14 additional pipes and infrastructure needed to create
15 a water transfer system that would stand with us
16 into perpetuity and be far better for all those
17 concerned: the water tables, the environment, our
18 water security, and all of the issues that we're
19 trying to address here today.

20 There has been an agenda from wherever it
21 has come that has misled us, and one of the greatest
22 misleading ideas that has been put forth was
23 repeated in the Draft EIR, and it also is
24 demonstrably false. It is the idea that water
25 transfers are not legally viable due to permitting

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1 barriers immediately. They are. The County's
2 conjunctive use water plan from last year makes that
3 absolutely clear.

4 On that basis alone, I think it is
5 justified to thoroughly revise this EIR, as opposed
6 to spending the -- my understanding was -- the price
7 of desal was brought up -- my understanding some
8 assessments with financing was more at the
9 \$180 million range at this time. So the fact that
10 this has not given adequate consideration to water
11 transfers is of very great concern to me.

12 Additionally, the EIR --

13 MR. COLWICK: 30 seconds.

14 MR. GROVER: -- has not addressed the fact
15 that for the sake of potentially getting 7.5 million
16 gallons a day, that's my understanding that's the
17 maximum that's proposed of desalinated water, we
18 would be disposing of the brine in the wastewater
19 from our waste treatment plant, thereby precluding
20 in perpetuity the opportunity to use that water for
21 either groundwater reinjection, for agriculture, or
22 even potable water. The cost of that by the same
23 technology is vastly less, and the water engineers
24 tell me that it is about a third of the energy
25 required to do that. So I urge you to also consider

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1 that.

2 Thank you very much.

3 CHAIRMAN SCHIFFRIN: Thank you.

4 Hold on a second. After you,

5 Mr. Pomerantz, is Bradley Comito, and then, I'm
6 having a hard time reading the name, it's either
7 Dorah -- or Dorah Shuey. Is there such a person
8 here?

9 MS. SHUEY: Sorry about my handwriting.

10 CHAIRMAN SCHIFFRIN: Okay. You know who
11 you are. And then it's going to be Jeanine Lovett.

12 Mr. Pomerantz.

13 MR. POMERANTZ: Good evening. I'm
14 Ron Pomerantz, and I thank you for the opportunity
15 to freely discuss, for the evening to discuss the
16 Draft EIR and for extending the review period for an
17 additional 30 days. The EIR certainly needs all the
18 help it can get.

19 After all the estimates around 16 million,
20 five years for this \$130 million project whose
21 inadequacies and unanswered questions galore, and
22 you've heard many so far, and you'll hear many more,
23 I'm sure. What's actually proposed is a four and a
24 half million gallon a day desalination plant. Not
25 the two and a half million that this EIR is

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1 purportedly talking about.

2 In your own report it says, most below
3 ground and offshore components are designed with the
4 capacity to produce up to four and a half million
5 gallons a day of product water.

6 Ignoring other alternatives, previous
7 research and studies concluded that a two and a half
8 million gallon a day desal plant would be more than
9 adequate to provide water under the worst projected
10 drought conditions, yet the EIR mentions the
11 possibility of nearly doubling the desal plant with
12 all the additional costs, environmental and
13 financial costs that are not spoken about at all.

14 If a four and a half million gallon a day
15 desal plant is what is needed or wanted, I would
16 disagree, but if it is, the EIR should be addressing
17 this capacity, the four and a half million gallon a
18 day capacity, and try to work on -- you know, we're
19 not talking about the smaller plant. And then
20 you're going to come back in some years, and there's
21 going to be crying wolf, oh, it's two and a half,
22 oh, my gosh, better go to four and a half. When
23 that apparently seems to be where it's all going now
24 anyway.

25 So the Draft EIR, I would recommend that

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1 it's upfront about the fundamental issues of
2 capacity. That would be my question, why isn't it?
3 Only then could this EIR reflect the true
4 environmental impacts of a desal project.

5 The EIR reports that will be about six to
6 seven million gallons a day of seawater intake to
7 produce the two and a half million gallons of
8 product water, which is about two and a half gallons
9 of ocean water for every manufactured gallon of
10 product water.

11 In the Carlsbad plant, according to the
12 Sentinel, I've got to trust their information --

13 MR. COLWICK: 30 seconds.

14 MR. POMERANTZ: -- it would require about
15 six gallons of seawater to make one gallon of
16 finished water accordingly. So that means either
17 somebody's not right, either your consultants aren't
18 right, or Carlsbad. And they've broken ground on
19 their project. That would mean extracting
20 14 million gallons a day from the Monterey Bay
21 Sanctuary.

22 I thank you so much for your time. I'll
23 send the rest of my comments in the mail.

24 MR. COMITO: My name is Bradley Comito.
25 I'm an environmental studies student at U.C.S.C. and

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1 I'm an intern with the Community Water Coalition,
2 and I took Andy Schffrin's class about a year ago,
3 so I have to thank him for the exposure to the CEQA
4 process.

5 As you know, desalination intake
6 structures kill marine life by drawing fish and
7 other organisms in the seawater to the processing
8 facility, or by pinning them against intake screens.
9 These actions are known as entrainment and
10 impingement, respectively.

11 The Draft EIR proposes installing a wedge
12 wire screen over the intake structure, and using a
13 low through screen velocity to reduce entrainment
14 and impingement of marine life.

15 Although this design meets the minimum
16 design criteria established by the California
17 Department of Fish and Wildlife and the National
18 Marine Fishery Service, I'm concerned that the Draft
19 EIR did not adequately examine the potential impacts
20 on marine life.

21 The book Desalination, a National
22 Perspective published by the National Academy Press
23 and the National Academy of Sciences described
24 severing technologies that efficaciously reduce
25 entrainment and impingement. One such technology is

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1 something called a risk drop screen, which is a
2 mechanism that fits over an intake screen and
3 collects impinged organisms in buckets and lifts
4 them away, freeing them from the intake structure.

5 The editor of the desalination industry
6 trade journal, Water Desalination Report, his name
7 is Tom Pankratz, has written that risk drop screens
8 improve survival rates of impinged organisms by 70
9 to 80 percent in an article titled "An overview of
10 seawater intake facilities for seawater
11 desalination" which is publicly available on Texas
12 A&M University's website.

13 Because the Draft EIR does not discuss
14 risk drop screens, they appear to have been
15 overlooked as a potential solution for the problem
16 of impingements.

17 Considering the risk drop screens'
18 effectiveness and lessening environment impacts as
19 reported by both science and industry, I suggest
20 that an analysis in the Final EIR of installing risk
21 drop screens would provide a more complete analysis
22 to this project's potential impacts to marine
23 organisms.

24 Thank you for your consideration.

25 CHAIRMAN SCHIFFRIN: Thank you.

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1 MS. SHUEY: Hello. My name is
2 Dorah Shuey. I live in north county, and my
3 children and grandchildren and some cousins live in
4 the city. My comments concern radioactivity in the
5 ocean water. The most recent EPA-ordered study
6 states that any dose of radiation carries a cancer
7 risk, and that this risk rises with accumulated
8 exposure. In addition, there is some evidence of
9 increased cardiovascular diseases.

10 Due to ocean currents, our coastal waters
11 have been and will continue to be receiving
12 radiation carried from the Fukushima nuclear
13 catastrophe. There were also 47,800 barrels of low
14 level nuclear waste dumped in San Francisco Bay.
15 Diablo Canyon Nuclear Power Plant and the recently
16 closed San Onofre plant, both of which kept huge
17 amounts of nuclear waste stored on site, are
18 potential sources of contamination.

19 In the winter, there is a coastal current
20 which runs south to north, so if there were to be
21 any leaks from Diablo Canyon or San Onofre, the
22 California current would, you know -- would not,
23 which runs the other way, would not prevent the
24 radiation from coming up into Santa Cruz waters
25 because of the winter current runs south to north.

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1 Questions include these few: How
2 effective is reverse osmosis at taking out each of
3 the radionuclides that are in the range of the
4 proposed intake? Or that might recently be expected
5 to come into our water intake area? It has been
6 said that tritium is not removed by reverse osmosis,
7 and it's known to have been released in the
8 Fukushima disaster.

9 Furthermore, rising levels of tritium
10 release have recently been reported.

11 And I have all my, every informational
12 thing I say here, I have submitted that in my
13 written comments as well as maps of the ocean
14 current.

15 Once radio-, if the desal plants was to be
16 built, once radioactive matter is removed from the
17 ocean water, how would this nuclear waste be handled
18 and stored? If it were stored on-site, how will we
19 be protected, including in the case of an earthquake
20 or tsunami release? How much radioactive
21 contamination would result from the desalinated
22 ocean water going into our soil and groundwater as
23 would happen if it were part of our water supply?
24 What will happen to the desal plant if the ocean
25 water becomes too radioactive to be used as the

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1 water supply?

2 To repeat, the EPA ordered a study known
3 as BEIR7, some on the risks from low level doses of
4 radiation make it clear --

5 MR. COLWICK: 30 seconds.

6 MS. SHUEY: -- that virtually any exposure
7 to radiation increases risk.

8 The Draft EIR has no answer to these key
9 questions. Why would the City Council and water
10 department of Santa Cruz and Soquel Creek Water
11 District want to spend at least \$129 million on a
12 water supply that's known for radioactivity and that
13 will have more as more water from Fukushima and many
14 other sources reaches the proposed intakes? All of
15 them.

16 Why doesn't the Draft EIR take into
17 account the environmental and health costs of using
18 radioactively contaminated water as a public water
19 supply?

20 MR. COLWICK: Time's up.

21 MS. SHUEY: Thank you.

22 CHAIRMAN SCHIFFRIN: Thank you.

23 The next speakers are Eric Godberg,
24 Paige Ames, and Golden Love. If you could line up,
25 I'd appreciate it.

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1 Go ahead.

2 MS. LOVETT: Hi. I live on the west side
3 near a proposed pump location, and I didn't receive
4 any notification that that was a proposed site.

5 And I've noticed that the signs posted
6 along West Cliff on the proposed sites are very
7 small.

8 And I also last week went to 70 homes on
9 the west side near a pump location where I live, and
10 I talked to a lot of my neighbors, and I would say
11 about 90 percent didn't know about this meeting and
12 didn't know -- some saw the sign, but didn't know
13 what it was about. And I would say most of my
14 neighbors didn't know about this meeting, and also
15 didn't know about the proposed pump sites.

16 Thanks.

17 CHAIRMAN SCHIFFRIN: Just to clarify,
18 you're Jeanine Lovett?

19 MS. LOVETT: That's right.

20 CHAIRMAN SCHIFFRIN: I just wanted to make
21 sure.

22 Mr. Godberg.

23 MR. GODBERG: Good evening, Commission.
24 Eric Godberg, west side resident.

25 First, I think it bears repeating what the

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1 Sierra Club chair mentioned, that, for me, the fatal
2 flaw in this is that it relies on the wastewater
3 effluent. So that's -- I mean, that's our biggest
4 future source, and because we won't be able to use
5 it because this plan mixes brine with the wastewater
6 effluent.

7 The university, apparently when they build
8 new buildings they do -- they plumb in the purple
9 pipe system in anticipation. It's coming.

10 But the other comment I have is, let's get
11 real, the City is not doing all it can do to
12 conserve. First of all, the rate structure is an
13 active disincentive to conservation. Residential,
14 single family, the ready-to-serve charge overwhelms
15 the per unit charge. And if you want to conserve,
16 let's try a market-based approach. Why don't you
17 make the per unit charge more and reduce the
18 ready-to-serve charge in a revenue neutral manner?
19 Secondly, the nonresidential customers don't have
20 any tiering, just \$4 a unit. You can change that,
21 too.

22 Also, unbeknownst to almost everyone, the
23 water department has an unadvertised plan of a
24 permit where they allow tanker trucks to fill up at
25 bulk water stations without any metering whatsoever.

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1 According to City staff, they report their usage on
2 the honor system.

3 Yeah, I actually brought photos on a flash
4 drive to show you all, a tanker truck filling up.
5 Check it out. Right behind Natural Bridges on
6 Delaware Street, there's one of the three bulk water
7 stations. But no one knows about it because it's
8 not on the City's website. And they can -- I saw a
9 truck from Aromas. They can take it out of
10 district, out of county. They take it to Aromas,
11 4,000 gallons a truck. Completely on the honor
12 system.

13 So if the City were serious about
14 conserving -- maybe that's a worthwhile program, but
15 the City wouldn't let them do it unmetered. You
16 know, they could give them a key, they could give
17 them a lock box, some sort of metered system. So
18 let's get real about conservation. We could do a
19 lot more.

20 Thank you.

21 CHAIRMAN SCHIFFRIN: Thank you.

22 The next speaker after Paige Ames will be
23 Golden Love, then Lara Triona, and then Lisa.

24 MS. AMES: Hi. My name is Paige Ames, and
25 I haven't live here 40 years, I haven't lived here

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1 nine years. I've lived here nine months. But this
2 is near and dear to my heart because I'm one of
3 those people who paid over \$700,00 for my property,
4 and I'm not interested in having a industrial site
5 eight houses away from my sweet little ranch house.

6 For those of you that don't know, there is
7 a clipboard that's being passed around by Paul --
8 Paul? So Paul's over here. So if you haven't had a
9 chance to sign up for the Desal Alternatives
10 community and network, then please make sure you
11 find Paul, or don't just keep passing that, but sign
12 it if you want to.

13 Several quick comments.

14 I'm with Bill -- I'm with Bill on this is
15 a bigger problem than just with Santa Cruz, because
16 U.C.S.C. is one of the reasons that we're here, and
17 so I want to make sure that the State should support
18 this kind of effort and provide land along Highway 1
19 that isn't next to any of our homes. I think there
20 needs to be more investigations in the caves at the
21 bottom of Merced. Sarah's not here, but she as a
22 child played in those caves, and there's no mention
23 of those caves that would act as a megaphone for any
24 noise a pumping station that would be sending its
25 vibrations throughout the cave system right there at

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1 the West Cliff edge.

2 I also from the last meeting understand
3 that the noise assessment that was done on the
4 Merced location as witnessed by a neighbor was only
5 20 minutes. So we would much prefer a much longer
6 noise assessment for the impact of what's going to
7 happen when the wind changes and we can hear someone
8 talking down there on the ledge.

9 There's also, on the sign-up sheet that we
10 all signed, it would be really helpful when you make
11 your decision that you're going to post these public
12 comments, that you at least send an email out to all
13 of us that put our email on whether you're going to
14 send them out or not, and the reasons why you aren't
15 going to send them out. So you have the best
16 network of emails because we all signed in and
17 hopefully gave our emails.

18 The other issue is a concern that was --

19 MR. COLWICK: 30 seconds.

20 MS. AMES: -- a concern was brought up at
21 the neighborhood meeting at our school which was
22 that the majority of the research on this particular
23 system, and most of these systems are in the Middle
24 East and not in America with the kind of topography
25 that we currently have in Santa Cruz. So a lot of

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1 the justifications for those systems and the
2 desalination and the technology is actually being
3 used over there as opposed to most of our homegrown
4 opportunities.

5 Thank you.

6 CHAIRMAN SCHIFFRIN: Thank you.

7 MR. LOVE: Thank you for letting us speak
8 to you tonight. My name is Golden Love, and I'm the
9 local and California coordinator for the Ecological
10 Landscaping Association, which is a national
11 organization in approximately 20 states.

12 Our mission is advocating for responsible,
13 environmentally responsible storage shed of land and
14 natural resources. We believe there is an abundance
15 of water. Here's a couple of examples. 2.1 million
16 gallons of potential gray water every day is
17 available in the City of Santa Cruz Municipal Water
18 District. That's one example.

19 Another example is the average home in the
20 City of Santa Cruz and the Soquel Creek Water
21 District can harvest a minimum of 25,000 gallons of
22 water per year.

23 And lastly, just to give a short example,
24 the City of Scotts Valley recycles millions of
25 gallons of water from their treatment plant, and

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1 actually has an excess of it, and they're willing to
2 sell it to Pasatiempo, I think most people know that
3 Pasatiempo wants to buy 30 million gallons of the
4 water, which would save 1.5 percent of our city's
5 water use.

6 So our position is that -- the Ecological
7 Landscaping Association's position is we support the
8 full implementation of non-desal plant-related
9 alternatives mentioned in the EIR before a desal
10 plant is built. This includes spending a whopping
11 \$129 million proposed cost on alternatives.

12 More details on the abundance that truly
13 is here, it's not a scarcity of model here, we have
14 an abundance of water, is by the front entrance as
15 you're coming in on the left-hand side is a list of
16 the resources that we already have, and that we can
17 take action now by signing up for the -- this is
18 just an example -- of the hundred gray water
19 challenge that is being run by Ecology Action. You
20 can sign up for that now. You get a laundry to
21 landscape system installed in your house. So that's
22 just a snippet of what you can do.

23 Thank you very much.

24 CHAIRMAN SCHIFFRIN: Thank you.

25 Hold on just a second. Are you Lara?

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1 MS. TRIONA: Um-hmm.

2 CHAIRMAN SCHIFFRIN: Is Lisa behind you?

3 Okay.

4 Behind her should be Joe Foster, and then
5 Phil Berman.

6 So go ahead, Lara.

7 MS. TRIONA: My name is Lara Triona. I'm
8 a parent of a wonderful preschool called Flutterby
9 Preschool, and it is located in the industrial zone
10 according to the EIR report, which is where these
11 three plants are potential alternative sites for.
12 And I'm concerned that using the zoning for the EIR
13 is slightly inappropriate, since a lot of businesses
14 there that are technically zoned industrial are not
15 necessarily industrial settings. And so I think the
16 EIR report should more reflect what the actual
17 current use is than supposed zoning, which I'm not
18 sure when that was reevaluated because current use
19 does not necessarily reflect that.

20 In addition to the preschool which my
21 daughter started at 14 months, and this is within
22 75 feet of where the closest plant is, I think the
23 furthest one away is still 300 feet away from the
24 preschool. And in addition, there's a ballet
25 studios, martial arts studios that have children,

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1 which are considered sensitive receptors according
2 to the EIR, but it's not labeled in the EIR, those
3 other sensitive receptors.

4 I also have -- and especially considering
5 the fact that when it was stated that we should
6 consider -- the EIR should consider the conditions
7 without the project versus with the project, I think
8 that's another reason to not use zoning, but
9 actually use current usage.

10 Other questions I have related to the
11 Environmental Impact Report: On the air quality
12 climate information, it talked about only about a
13 month four use of the maximum expected particle
14 data, which again, for young children, infants,
15 toddlers and preschoolers, they're the most
16 sensitive to this. It's known to lead to asthma and
17 other cases. Only the fourth month of construction
18 is considered and not the full range of the three
19 years it's going to take to construct this plant.
20 And so I think that that should be in the report,
21 more of a range instead of just a single point in
22 time.

23 The other thing it talks about, in order
24 to mitigate the environmental impact of the air
25 quality, it talks about using water twice a day

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1 minimum to reduce the amount, which is important
 2 obviously for my child's health, but it's
 3 counterintuitive in that the whole point is we're
 4 trying to reduce water usage.

5 A couple more points I wanted to make
 6 quickly was in the actual report, it separates out
 7 indirect and direct air quality control issues, and
 8 kind of dissuades indirect as not really relevant.
 9 But if they're going to a plant site, then it's very
 10 relevant because it's just multiplying on top of it.

11 So -- thank you.

12 CHAIRMAN SCHIFFRIN: Thank you.

13 MS. SERENE: Hi. My name is Lisa, and I'm
 14 actually the owner of the preschool on Natural
 15 Bridges Drive. And I just want it to be known that
 16 we are zoned residential/industrial, but it is also
 17 residential, and we are fully licensed and approved
 18 by City and social services.

19 I'm wondering if noise and traffic and air
 20 pollution during construction is considered, like
 21 Lara mentioned, for the children as sensitive
 22 receptors. And if that can't be mitigated, and the
 23 project still continues, will you help me relocate
 24 my business so that the children can thrive and I
 25 can continue serving families of the west side of

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1 Santa Cruz, which is a huge need with two income
2 needed households. And we're a great service that I
3 want to continue offering, but I do have great
4 concern that this will put me completely out of
5 business.

6 So I appreciate that concern in your
7 economic analysis, as well as your Environmental
8 Impact Report.

9 Thank you.

10 CHAIRMAN SCHIFFRIN: Thank you.

11 Mr. Foster.

12 MR. FOSTER: Hi. My name is Joe Foster.
13 I'm the executive of the Santa Cruz County Business
14 Council. And I'm here tonight to speak on behalf of
15 our 19 member board of directors.

16 And over the last few months, we have been
17 doing an internal analysis of the Draft EIR, and
18 actually hired a third party, outside consultant who
19 came up with a number of questions, as well, that
20 were thoughtfully and thoroughly answered by the
21 City and the District staff, and we take great
22 appreciation in that, and it helped us be a little
23 bit more informed on some of the questions that we
24 had and some of the questions that have been brought
25 up here by the audience today.

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1 And in saying that, we feel pretty
2 confident that the Draft EIR has been very thorough
3 and thoughtfully done, and that the process has been
4 very transparent, and very open. And I think that's
5 apparent in an event like tonight.

6 The concern that we have, though, is what
7 follows on the heels of the Draft EIR, and the
8 importance of an economic analysis in tandem with
9 the environmental analysis. And we've had a number
10 of people mention that here tonight and at the
11 previous public hearing back at Seaciff Inn. And
12 just being able to get a good understanding of the
13 numbers associated with the alternatives, the
14 no-project and the project alternative in looking at
15 what is the true economic impact going to be on our
16 community if we don't have water, if we -- or if we
17 don't do anything. And I think that that's going to
18 be a real complement, and our board feels like it's
19 going to be a real complement to the Environmental
20 Impact Report once it's certified.

21 And, lastly, just to build on what's
22 already been done is continuing to strengthen the
23 public outreach that's been done by the District and
24 by the City in making sure that the business
25 community is informed of the changes that are going

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1 on within the project, the facts associated with the
2 project, and that the public as a whole is informed
3 I think is extremely important. So we appreciate
4 all the work that's being done, and thank you for
5 your time.

6 CHAIRMAN SCHIFFRIN: Thank you.

7 Before you start, Mr. Berman: The next
8 speaker Owen Lawlor, and then Jerome Paul. And then
9 my guess is we're probably going to be taking a
10 break soon after that.

11 So go ahead.

12 MR. BERMAN: I'm Phil Berman. I'm a west
13 side resident. I live about two blocks from West
14 Cliff Drive. I walk West Cliff Drive four or five
15 times a week from Lighthouse up to Natural Bridges
16 and back, so I'm quite used to it. I'm also an
17 aging surfer and fisherman, so I'm used to West
18 Cliff Drive from the marine side of the environment,
19 as well.

20 And I'm also a professor at Santa Cruz in
21 the engineering school, and we've built a number of
22 industrial facilities in water constrained regions
23 of the world. So I think I have a background where
24 I can comment on some of these things.

25 So I'm against the inflows on West Cliff

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1 Drive. I don't think the Draft Environmental Impact
2 statement did a good job at all of looking at the
3 marine life requirements. I think they wrote a
4 report that met the legal requirements for putting
5 in a industrial utility. I don't think they, you
6 know, considered the optimum preservation or
7 conservati on aspects of this beautiful resource.

8 I think that, you know, if you're looking
9 at something like this that's going to impact this
10 area forever, you should look at what the optimal
11 situation should be to preserve this area, not to
12 just do what's legal and what a utility can legally
13 do.

14 I found the methodology flawed with
15 respect to sampling of marine organisms. They used
16 archaic technology.

17 You know, it's incredible to me that
18 anyone who walks along West Cliff Drive and sees
19 dolphins in the morning, there's no mention of
20 dolphins, or especially the juvenile dolphins that
21 you see every morning on West Cliff.

22 You know, I think it's also bad that it
23 hasn't been posted adequately. I think there's a
24 lot of people who use West Cliff Drive, and I think
25 there should be some postings at least as if you're

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1 opening a liquor store to show that something
2 significant is happening in the neighborhood.

3 CHAIRMAN SCHIFFRIN: Thank you.

4 Is Owen Lawlor here? He's not here.

5 The next speaker will be Jerome Paul, and
6 then Trink Praxel, and then Don McVay. If you could
7 line up, please. Thank you.

8 MR. PAUL: Hi. My name is Jerome Paul.
9 I'm a Santa Cruz resident and hold a master's degree
10 in electrical engineering. Thanks for the
11 opportunity to let me testify.

12 I came here expecting to see -- or to
13 share a visual projection as the consultants have
14 been doing this evening. However, a little over an
15 hour ago, a staff person told me that it would not
16 be permitted.

17 AUDIENCE MEMBER: What?

18 MR. PAUL: So I'll try to muddle through
19 anyway.

20 I'm concerned that the EIR draft doesn't
21 address particular environmental issues pertaining
22 to a sensitive economic and energy/carbon footprint
23 matters which are shown on the chart, which I cannot
24 display, but I have copies here while they last.

25 My first three questions for the EIR are,

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1 number 1: Are the numbers on this chart correct?
2 Number 2: If not, in each case, what is the correct
3 number? And number 3: If the correction is large,
4 why is that?

5 My socioeconomic concerns derive from the
6 massive amount of money which we are being asked to
7 take out of local circulation and send out of the
8 county, thereby depressing the local economy. The
9 chart features the bang for the buck valuation based
10 on a complete accounting of what it costs us,
11 including specifically the usual construction costs,
12 and -- but also, the more rarely mentioned finance
13 costs, both public and private, and the costs of
14 mitigation, notably for egregious energy use and its
15 unacceptable carbon footprint. A solar panel
16 company estimated that it would take three and a
17 half square miles of solar panels to produce the
18 energy the desal consumes in a year. And the cost
19 of the land itself dwarfs the cost of the whole
20 desal project, I would guess.

21 Also, the chart handles operating
22 lifetimes; in other words, how much water do we get
23 for our money? Some projects last a hundred years,
24 desal lasts 30 years.

25 MR. COLWICK: 30 seconds.

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1 MR. PAUL: Thank you.

2 I think there are six alternatives to
3 desalination in the chart comparing their attributes
4 for producing the same amount of water which the
5 desal plant can produce at full tilt.

6 The one big message for you to date is in
7 the value column, desal ranks dead last in bang for
8 the buck. And not just by a few percent, mind you.
9 The aquifer alternative, for instance, gives you
10 some 18 times more water for your dollar, and
11 conservation measures give you some 550 times more
12 water for your dollar.

13 MR. COLWICK: Time's up.

14 MR. PAUL: Thank you.

15 CHAIRMAN SCHIFFRIN: Thank you.

16 And I will urge you to submit your chart
17 with your comments.

18 This is going to be the last speaker
19 before we take a break. I want to just say, I think
20 there are probably over 20 cards I still have, so I
21 would urge people to maybe reduce their comments to
22 two minutes. I'll not require it, but it could be a
23 long night.

24 So, Ms. Praxel.

25 MS. PRAXEL: My name is Trink Praxel. I

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1 I live in Aptos in the Soquel Creek Water District.
2 However, I'm a retired City employee and worked for
3 a couple years with the City water department.

4 I'm very concerned that most people in our
5 water service areas do not really understand the
6 seriousness of the water crisis that we're facing,
7 and they don't understand the depth of the work that
8 has been done by our two water agencies over the
9 last ten years and more in studying every possible
10 alternative and finding none that are both feasible
11 and effective other than desal.

12 While the Draft EIR includes most of that
13 research -- and well done, thank you -- I believe it
14 needs additional work in three years. The Final EIR
15 needs to incorporate data from the baseline survey
16 of customer conservation that was recently completed
17 by the City, and explained under the no-project
18 alternative how much more water could reasonably be
19 achieved with additional conservation practices.

20 Many desal opponents as you've heard
21 tonight say that we can just conserve our way out of
22 this crisis, but most of us have already done the
23 easy things: the low-flow shower heads, the toilets
24 and drip irrigation, et cetera. The public needs to
25 know how close to the estimated multiple year

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1 drought restrictions of 35 to 50 percent we can
2 really get with just more conservation.

3 The Final EIR also needs to better explain
4 the real impacts of a 35 to 50 percent water cut
5 back will be for area households and businesses
6 including what the physical changes in our community
7 will be from the economic impacts of such cuts.

8 The Draft EIR includes a chart titled
9 "Customer Hardships Associated with Levels of
10 Curtailment" that is based on a 2001 curtailment
11 study. That chart says that 40 percent curtailment
12 would impose considerable hardship on residents,
13 that customers' lifestyles would be significantly
14 affected, that businesses would experience a 20 to
15 30 percent revenue loss, tax revenues will be
16 affected, and public use of community facilities
17 will be reduced.

18 But again, for people to make an informed
19 decision, they need to know more specifically what
20 that means. They need to understand what kind of
21 hardships and lifestyle changes they would have to
22 endure. What would be the real economic impact of a
23 no-build alternative for our area? And what real
24 physical changes would we see as a result of that
25 economic impact?

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1 Finally, I'd like to see the Final EIR do
2 a better job of explaining in common, less technical
3 language what the alternatives being proposed by the
4 opponents of desal which were studied in the Draft
5 EIR. They are either not feasible or do not produce
6 enough water or reduce demand sufficiently to close
7 the gap. The information in the Draft EIR is in a
8 summary chart. It needs to be much more specific
9 and accessible to the public.

10 Thank you.

11 CHAIRMAN SCHIFFRIN: Thank you. We're
12 going to take a ten-minute break and come back, and
13 Don McVay is going to go first.

14 (Recess had.)

15 CHAIRMAN SCHIFFRIN: Is Mr. Don McVay
16 here?

17 Mr. McVAY: Here.

18 CHAIRMAN SCHIFFRIN: The court reporter is
19 here. We will listen to your testimony.

20 Again, I'd like to ask people to please be
21 quiet in the room.

22 Thank you very much.

23 Mr. McVay.

24 MR. McVAY: My name is Don McVay. I've
25 been a county resident for 40 years.

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1 CHAIRMAN SCHIFFRIN: Can I ask you to hold
2 for just a second.

3 The next people are Bruce Daniels and
4 Jude Todd. If you could line up, I'd appreciate it.
5 I'm sorry, Mr. McVay.

6 MR. McVAY: I've been a west side resident
7 for the last seven years.

8 I want to take this opportunity to invite
9 you all to read a very good book. It will show you
10 that we're not trying to reinvent the wheel here.
11 The City of Las Vegas, various other places have had
12 the same problems we've had, and the technology is
13 here to recycle our water. We have enough water.
14 We need to use it differently.

15 And I'm very proud to live in a place
16 that, I believe we have the first marine sanctuary
17 here. We have groundbreaking events all the time.
18 It may not be legal in California yet, but there's
19 no reason we can't use recycled water to meet our
20 needs.

21 So the book is The Big Thirst by
22 Charles Fishman, written in 2011. And it's already
23 been done. We just need to think about
24 alternatives. We need to use the resources we have.
25 We don't need to take and -- take away our beautiful

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1 neighborhood and put some large thing that we're
2 going to be disappointed in later.

3 Thank you.

4 CHAIRMAN SCHIFFRIN: Thank you.

5 MR. DANIELS: I think the EIR has not
6 totally considered climate change, and I'm referring
7 to comments before. If we're going to use this
8 document as a mechanism to look at the alternatives
9 and make decisions about them, then you need to
10 fully look at all of the impacts, and currently
11 that's not happening.

12 For example, if one were to look at the
13 no-project alternative, some people are saying,
14 well, that shortage is not really that terrible and
15 we could accept it, particularly since it's once
16 every hundred years kind of impact.

17 And the EIR currently gets its information
18 about drought frequency and severity from looking at
19 past records, not looking at the future. And that's
20 a problem because the future is not going to be much
21 at all like the past. All climate scientists today
22 pretty much decide that future droughts will be more
23 frequent and much more severe than past situations.
24 And I have some information to show you about that
25 issue.

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1 This is an article that came out. It's a
2 series of questions that Representative
3 Henry Waxman, a ranking member of the House
4 Committee on Energy and Commerce, asked the Sierra
5 Nevada Research facility in Merced about the effects
6 of climate change on California. And the scientists
7 said that the precipitation here, there will be,
8 quote, very likely a redistribution with intense
9 precipitation periods alternated with very dry.
10 Overall, California is likely to experience
11 50 percent to 150 percent more critically dry years.

12 So using the past data when we know that
13 that's not going to be the future, and we're going
14 to live in the future, that's an important thing.
15 So you can easily make the wrong decision based on
16 that.

17 The DWR came out with this report.
18 Climate change preservation and analysis in
19 California water resources planning studies, which
20 says, quote, a water shortage worse than the one
21 during the 1977 drought could occur in one out of
22 every six to eight years by mid-century, and one out
23 of every three to four years at the end of this
24 century. So something that currently the EIR says
25 is going to happen once every 200 years instead is

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1 going to be happening every three to four years in
2 the future. So that's a big change.

3 And we are -- if you look at the EIR now
4 and make a decision that the no alternative, the no-
5 project alternative is possible, that's just
6 completely going down the wrong path.

7 The USGS did another study, which this
8 does mention, it looks at saying historically about
9 four to five droughts occur in 90 years. That's in
10 the past. Future projections include more than one
11 drought every decade with a multi-decadal drought
12 for the GFGLA-2 that ends in the 21st Century.

13 So whereas in the past we've seen drought
14 once every 20 years, the future is more than twice
15 as frequent. And by the end of the century, they're
16 predicting a drought lasts 12 years. That is a big
17 change.

18 MR. COLWICK: Time is up.

19 MR. DANIELS: Thank you.

20 CHAIRMAN SCHIFFRIN: Thank you very much.

21 After the next speaker will be
22 Deb Wirkman, and then Wilson Fieberling,
23 Will Fieberling.

24 MS. TODD: Good evening. My name is
25 Jude Todd, and in the interests of time, I just want

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1 to give you two points. I'm going to leave out the
2 examples, but I had examples to illustrate a lot of
3 these points.

4 Tonight I'd like to address one aspect of
5 the carbon neutrality aspect of the proposed desal
6 project, buying carbon offsets. I feel that this
7 has not been adequately addressed in the EIR.

8 There are many problems with buying carbon
9 offsets, and I'd like to discuss three areas.
10 First, biological problems. Point number 1 is that
11 offsets for planting trees, or acres of trees are
12 often worse than unhealthful because they replace
13 biodiversity ecosystems with tree monocultures.

14 Secondly, trees are not permanent offsets
15 because they die, and they may die sooner if they're
16 in a monoculture because they won't be healthy.

17 Thirdly, the trees planted for offsets may
18 be invasive species. One instance, for example,
19 destroyed local forest and created economic
20 dependencies that crushed a local economy.

21 The second area is community impacts of
22 carbon offsets. The first point is that because
23 these offset projects take place in communities
24 where people are poor and powerless, they often
25 cause more harm than good for them: uprooting of

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1 families, causing people to move, and so forth.

2 And, secondly, people in the communities
3 affected often do not understand what they're
4 agreeing to. In some cases, they can't read or
5 write, they sign agreements with a fingerprint.

6 And the third area I see problematic about
7 carbon offsets is the verification and enforcement
8 problems. One point is that offsets may be sold to
9 protect a specific area from logging, but the
10 loggers simply cut down nearby trees instead. So
11 there's no net decrease in carbon emissions.

12 Secondly, some forest claimed as offsets
13 would not have been logged anyway. And there's lots
14 of examples of that.

15 Thirdly, some projects claim to be
16 certified when they're not.

17 So on the Final EIR, I ask that you
18 address the following questions.

19 First of all, what sorts of projects would
20 count as carbon offsets?

21 Secondly, what communities would be
22 impacted?

23 Third, would these communities have full
24 autonomy in deciding whether to accept the terms of
25 the offset, and how would we know?

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1 MR. COLWICK: 30 seconds.

2 MS. TODD: How would we know, also,
3 whether the people in those communities were being
4 treated respectfully and fairly?

5 And the fifth question is: How would we
6 know whether the offset is really working out as
7 planned and over the long term? Will there, for
8 example, be on the ground, verifiable, semi-annual
9 reports on each project?

10 And, finally, attempting to divest these
11 concerns by simply asserting that the offsets would
12 be certified is not satisfactory. Certified by
13 whom? And who certifies the certifiers? Will the
14 certifiers -- excuse me -- will the certifiers
15 follow the offset projects over the years to be sure
16 that the carbon offsets continue to be valid?

17 Thank you.

18 CHAIRMAN SCHIFFRIN: Before you start, let
19 me just say that since it is getting a little late,
20 if people feel that they don't want to wait around
21 to speak, you know that you can submit your comments
22 in writing and that they will have the same effect
23 in terms of their responses to them in the EIR as
24 making them orally.

25 And, obviously, you can also expand your

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1 oral testimony with writing, with written comments,
2 as well.

3 Go ahead.

4 MS. WIRKMAN: My name is Deb Wirkman, and
5 I'm a long-time resident of the west side.

6 Recently some people have heard me say
7 that some of the proposed desal intakes are too
8 close to the wastewater outfall. In fact, the three
9 westernmost intake options are close enough to the
10 outfall that the outcomes of the dilution model
11 analyses in this Draft EIR don't apply because a
12 distance of two miles is assumed. Intakes 14, 16
13 and 7 are significantly closer to the outfall than
14 the two miles. I'm not sure about the two proposed
15 Mitchell Cove intakes, as this distance needs
16 verification.

17 For at least the three westernmost
18 proposed intakes, the minimum dilution of the
19 combined wastewater brine effluent would, therefore,
20 not be 125,000-to-1 as the models predict. It would
21 be more concentrated than that, and other
22 predictions of the models should also change.

23 Dilution of the leaks that exist in
24 wastewater pipe in relation to the desal intakes
25 would need to be modeled, too, since there's no

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1 mention of fixing those in the report. These leaks
2 are clearly shown in the 2011 wastewater treatment
3 facility annual report on the City's website.

4 The wastewater effluent flowing from the
5 outflow is not just from the City of Santa Cruz.
6 It's also from Capitola, Live Oak, Soquel, Aptos,
7 U.C.S.C., and even Scotts Valley, and includes
8 industrial as well as household waste.

9 Not every chemical that can possibly flow
10 into the plant is regulated by the plant's discharge
11 permit. Thousands of new chemicals are developed
12 every year and regulations simply can't keep up.
13 You can look at the 2011 wastewater report on the
14 City's website and see a list of compounds of
15 emerging concern and other contaminants that are in
16 our wastewater. It's not that they don't do a good
17 job there. It's just that the sewage plant is a
18 secondary treatment plant, and it isn't designed to
19 involve traces of pathogens and contaminants.

20 Also, routine testing for indicated
21 bacteria doesn't account for all potential
22 pathogens, and some can survive for a very long time
23 in the ocean.

24 Comprehensive water quality testing has
25 not yet been done at many of the proposed desal

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1 intakes. It's questionable whether if 100 percent
2 efficiency of the desal process at all times would
3 remove everything that can be thrown at the ocean
4 intakes, and we all know few things work at 100
5 percent efficiency all the time. Small leaks in the
6 reverse osmosis membranes can occur that can go
7 undetected by the quality controls, and pathogens
8 and contaminants can slip through.

9 According to the EIR, the wastewater plant
10 would receive a lot of sludge from the desal plant
11 via the sewer line, and that sludge load may clog up
12 the sewer line along Delaware Avenue and some other
13 locations.

14 MR. COLWICK: 30 seconds.

15 MS. WIRKMAN: You can read about this
16 independent fact. Also you can read this quote.
17 The solids from the desal plant have not been
18 thoroughly studied so their affect on the wastewater
19 facility is not actually known.

20 My comment here is this means it's unknown
21 whether the heavy load of desal solids will harm
22 wastewater plant function causing problems with
23 treatment which could impact the effluent water
24 quality, and in turn affect water quality in the
25 Monterey Bay and possibly at the desalination

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1 intake.

2 CHAIRMAN SCHIFFRIN: Thank you.

3 The speakers after Mr. Fieberling are
4 Andy Carman, Russell Brutsché, and Dan Speke. So if
5 those people could line up, that would be great.

6 MR. FIEBERLING: My name is Wilson, or
7 Bill, Fieberling. I was the City Engineer and
8 Public Works Director of Santa Cruz from 1982 --
9 1962 to '82. Being retired, I've spent hundreds of
10 hours studying this desal issue, and I have some
11 very definite opinions about it.

12 I feel that most of the people in northern
13 Santa Cruz County, which is from La Selva Beach
14 north, would say that we have probably too much
15 water in our streams, and that we're subject to
16 flooding rather than not enough, and why don't we
17 store some of it rather than letting it flow out
18 into the ocean and then taking the salt out of it?
19 Why don't we use some of the water that we already
20 have.

21 Now, I have come up with a solution to
22 that problem, which is an off-stream storage
23 reservoir. This reservoir is 90 percent built.
24 There's no possibility of its being a stream for
25 fish flow, and the cost would be extremely low

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1 compared to the desalination project.

2 This is a subject which is complicated and
 3 I've presented it to Bill Kocher; to the city
 4 manager, Mr. Bernal; to Gary Griggs, because he's
 5 interested in that sort of fish thing at the
 6 university; attorneys Rod Atchison and Gary Patton.
 7 I've spent an average of an hour with each of these
 8 people. I presented it to John Ricker, who is the
 9 County's expert on water supply; Bruce McPherson who
 10 is a supervisor.

11 Then I presented it to Don Lane. I don't
 12 know if he's still here. He was earlier. He was
 13 the one who is sort of pushing the project for the
 14 City; Cynthia Matthews and Mayor Hilary Bryant. The
 15 last person that I spoke to was the mayor, and she
 16 said, Will, put it in writing and submit it as a
 17 comments and questions in the EIR. I intend to do
 18 that.

19 MR. COLWICK: 30 seconds.

20 MR. FIEBERLING: Pardon me?

21 MR. COLWICK: 30 seconds.

22 MR. FIEBERLING: Okay.

23 I've finished it, but I got some comments
 24 from my attorney who would make it -- whose comments
 25 would make it somewhat more presentable to a judge

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1 if a judge should be involved in litigation on this
2 subject.

3 None of the people I talked to seem to
4 have any objection to it except Bill Kocher who had
5 a couple of comments which I do not consider to be
6 reasonable ones.

7 MR. COLWICK: Time's up, Bill. Thank you.

8 CHAIRMAN SCHIFFRIN: Thank you.

9 Mr. Carman, Andy Carman.

10 (No response.)

11 CHAIRMAN SCHIFFRIN: Are you Russell?

12 MR. BRUTSCHÉ: I am Russell.

13 CHAIRMAN SCHIFFRIN: Before you start,
14 sir, let me say after Mr. Speke, there will be
15 Fred Geiger and Colonel Terry Maxwell.

16 Since some people didn't stay, if those
17 people are still here, you can start lining up.
18 Thank you.

19 Go ahead, sir.

20 MR. BRUTSCHÉ: Hi. I'm Russell Brutsché,
21 long-time Santa Cruz resident. And I'll make my
22 comments brief because it's late.

23 I understand carbon to be the big issue,
24 not just for our community, but for all communities,
25 and a number of previous speakers have addressed

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1 that ever-increasing affect and focus that we will
2 have to do with carbon.

3 And, as far as carbon offsets, I would
4 invite you to just do a Google search on carbon
5 offset fraud, and you will hit a lot of sites. So
6 it's out there.

7 And my last part, which is quite short,
8 seemed to work best in verse, and I'll present it
9 that way. Anyone can join if they would like.

10 What's the subject of my song? E-I-E-I-O.
11 What's a thousand pages long? E-I-E-I-O. With a
12 factoid here, a factoid there, here a fact, there a
13 fact, everywhere a factoid, what's a thousand pages
14 long? E-I-E-I-O.

15 Piping water from our bay. E-I-E-I-O.
16 Piping water from our bay. E-I-E-I-O. With a suck,
17 suck here, a suck, suck there, here a suck, there a
18 suck, everywhere a suck, suck. Piping water from
19 our bay. E-I-E-I-O.

20 Here is what the voters say: no, no, no,
21 no, no. Here is what the voters say: no, no, no,
22 no, no. No, no here, and a no, no there, here a no,
23 there a no, everywhere a no, no, here is what the
24 voters say: no, no, no, no, no.

25 Thank you.

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1 CHAIRMAN SCHIFFRIN: Thank you for that
2 musical interlude.

3 Is Fred Geiger here?

4 (No response.)

5 CHAIRMAN SCHIFFRIN: Is Colonel
6 Terry Maxwell here?

7 COLONEL MAXWELL: Yes. Present.

8 CHAIRMAN SCHIFFRIN: Okay. Mr. Speke, you
9 go, and then Mr. Maxwell will go.

10 MR. SPEKE: Good evening. I'm Dan Speke,
11 and I live in the Santa Cruz service area, a little
12 outside the city limits. And I've lived in
13 Santa Cruz a little bit over 40 years.

14 I want to address -- I want to address how
15 future population changes in the City of Santa Cruz
16 and the Soquel Creek Water District will impact
17 water needs and water supply. The present draft of
18 the Environmental Impact Report for the desalination
19 plant proposed by the two bodies governing local
20 water use does not provide thorough population
21 projections on which make sound water supply
22 decisions.

23 A growing body of demographers foresee the
24 human population stabilizing in approximately 35 to
25 40 years, then decreasing following mid-21st

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1 century. The United Nations, for example,
2 anticipates that over nine billion humans will
3 inhabit the planet by 2050, with population decline
4 setting in around 2075.

5 Prominent demographers at the Autonomous
6 University of Madrid recently released findings
7 leading them to expect the human population to
8 stabilize around 8.2 billion before the mid-century.

9 Jordan Randers, an author of the landmark
10 "Limits to Growth" study years ago, after extensive
11 review last year concluded that the human population
12 will stabilize at 8.1 billion people in the 2040s,
13 then decline for decades at a rate of one percent
14 annually.

15 A global population of 8.1 billion people
16 represents an increase of 16 percent over
17 6.9 billion population of 2010.

18 What will the populations of the City of
19 Santa Cruz and the Soquel Creek Water District be in
20 2050? Will we grow by 16 percent through the
21 mid-century? Shrink by one percent or more annually
22 thereafter? Stabilize at some population?

23 Will the earth's profoundly changing
24 climate draw more people to live in coastal
25 communities, dissuade newcomers from migrating here,

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1 or even send current residents inland?

2 How would the severity of drought-induced
3 water curtailment change in the face of stable local
4 population, or steadily declining -- or a steadily
5 declining one?

6 Given the limits of the natural systems on
7 which we depend, what's the optimum population for
8 the City of Santa Cruz, for the Soquel Creek Water
9 District, for the University of California
10 Santa Cruz campus? Only 37 years lie ahead of us
11 before we arrive at 2050. In 2050, will Santa Cruz
12 find itself saddled with an extremely expensive
13 excess water processing capacity?

14 The query of how area population will
15 change over the next 37 years and how population
16 change will impact future water need and supply
17 demands not glib, unstated assumptions, but
18 diligent, explicit articulation.

19 In the final --

20 CHAIRMAN SCHIFFRIN: Thank you very much.
21 Your time is up.

22 MR. SPEKE: Can I just finish my last
23 sentence?

24 CHAIRMAN SCHIFFRIN: Please stop. You can
25 submit your comments in writing. Please stop.

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1 There are a lot of people who still need to speak.

2 MR. SPEKE: Please specify your
3 assumptions about the local mid-range and long-range
4 population change underlying your conclusions about
5 future water use.

6 Thank you.

7 CHAIRMAN SCHIFFRIN: Is Andy Davies here?
8 Paul Johnston? Pete Kennedy? Okay.

9 Colonel Maxwell, you have your three
10 minutes. Thank you.

11 COLONEL MAXWELL: Yes.

12 First of all, I'd like to ask that you,
13 not on my time, but allow Mr. Jerome Paul to provide
14 his video and six alternatives -- actually, his
15 chart PowerPoint. I note that page 101 -- 1-1 at
16 Section 1.1, Section 1 of the Draft EIR, the very
17 first page, gentlemen and lady, says that you are
18 required to consider the EIR in full plus any and
19 all other relevant information.

20 Nothing could be more relevant than
21 Mr. Jerome Paul's attempt to provide his information
22 to you in a simple chart that showed the entire
23 public when more people were here. That was denied
24 to him outside by one of your staffers. That's not
25 considered relevant information. I'd ask that you

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1 let him come up and put him -- I'll step aside so
2 that he may indicate his information on a chart.
3 Will you do that?

4 CHAIRMAN SCHIFFRIN: No. He had his
5 chance. He can submit his chart.

6 COLONEL MAXWELL: Second, I have my
7 request here.

8 My first request, item 1, is in this
9 public forum that both the Santa Cruz City officials
10 with the water department and the board, and the
11 Soquel water creek district offer and extend that
12 they will make available to me for inspection --
13 because I have an open mind about this, lady and
14 gentlemen, but I'd like to be convinced. But my
15 perspective includes working on billion dollar
16 projects in Washington, D.C., involving EIR impacts
17 across this country, more than a few times, both as
18 an advocate, a proponent, and as someone challenging
19 environmental concerns.

20 From that perspective, I think it's
21 necessary for you to make available -- convince me.
22 I'd be happy to have you do that, but I'm asking you
23 to direct the staffers who work for you, under you,
24 or are related to you to provide relevant
25 information to me when I come and request it.

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1 I want to know the track record that leads
 2 us here in your recommendations that the voters of
 3 Santa Cruz and the Soquel water creek district
 4 customers vote to approve this desalination project
 5 or its equivalent that you're advocating.

6 Secondly, your consulting firm informed
 7 outside several folks, I'm told, including
 8 Mr. Grojtz, that the comments from the public will
 9 be withheld, whether they're submitted online or in
 10 writing or dropped off, that they will not be
 11 available on the website for me to see what other
 12 people are commenting so I might not duplicate or
 13 replicate their comments. That is not consistent
 14 with considering all relevant information.

15 It's also not consistent with providing
 16 interested and concerned citizens, water customers,
 17 rate payers --

18 MR. COLWICK: 30 seconds.

19 COLONEL MAXWELL: -- voters, residents,
 20 and informed experts an opportunity to fully
 21 participate.

22 So please direct your staff do that, and
 23 make those public comments available for all of us,
 24 and fulfill your duty both ethical and on the law,
 25 which the water creek district and the City Council

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1 unfortunately have failed to do. But I'll be happy
2 to give you an opportunity to show me you're going
3 to do the right thing.

4 CHAIRMAN SCHIFFRIN: Thank you.

5 Let me just say that anything that is
6 not -- any comments that are not presented orally
7 can be presented in writing, and the chart that is
8 being referred to should be submitted and will be a
9 part of the Final EIR if it is submitted.

10 Mr. Davies is not here.

11 Mr. Johnston, then Pete Kennedy, and then
12 Tim Duane.

13 Mr. Johnston.

14 MR. JOHNSTON: Good evening. My name is
15 Paul Johnston, and I'm a sociologist. I live on the
16 east side of Santa Cruz. I've been there for
17 17 years.

18 And I've been following this closely and
19 I've kind of come to some conclusions myself about
20 it, so I'd like to express them.

21 And, first, I'm just really been able --
22 no, unable to get my head around the claim that the
23 proposed plant would be carbon neutral because there
24 would be offsets purchased elsewhere. And I haven't
25 been able to find anybody, and maybe I just talked

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1 to too many people who are like me, but who would
2 buy that.

3 I mean, we're not -- we understand that if
4 you even do purchase valid offsets elsewhere, that
5 simply limits our ability to effectively combat
6 global warming.

7 Look at -- I'm trying to figure out a
8 metaphor to get the logic across. The best I could
9 come up with was that if I -- and maybe this is
10 because I've been trying to lose weight -- that if I
11 decide to have a Big Mac and the fries for lunch,
12 it's calorie neutral because I decide to skip the
13 extra large chocolate milkshake at the same time.

14 The reality is is that it's not carbon
15 neutral if you purchase carbon offsets. Really,
16 what you -- you have to place it in, obviously in
17 the context of our community and our planet's
18 response to this real global emergency that we're
19 facing right now.

20 And, secondly, on a more specific basis, I
21 did not see in the report any adequate effort to
22 address our community's capacity for improved
23 conservation. I know Mike Rotkin pointed out that
24 we already do very well. In our household with four
25 adults, currently has an average use of 70 gallons

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1 per day, less than we would be restricted to under a
2 stage 4 drought, 28 gallons a day less than you
3 would be restricted to under a stage 5 drought. In
4 maybe 50 percent of households in Santa Cruz are at
5 that point already.

6 But 50 percent are not, and I really
7 believe, and speaking as a community organizer, I
8 intend to spend a certain amount of my energy over
9 the next year reaching out to my neighbors to talk
10 in our neighborhood about what we can do in our own
11 back yards, so to speak, to -- as alternatives to
12 desalination.

13 Now, look, the reality, the political
14 reality, I think it's increasingly clear, is that
15 desalination is not going to happen in Santa Cruz.
16 It's simply not going to happen because this does
17 not represent the kind of initiative, whether we're
18 irrational or not, that we Santa Cruz citizens
19 expect and hope to have from our commissioners and
20 from our elected Council members. It's not going to
21 happen. And that's why it is so important that this
22 document go back and look seriously at real
23 alternatives to desalination.

24 Thanks.

25 CHAIRMAN SCHIFFRIN: Mr. Kennedy.

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1 MR. BOYD: Will you tell me where my card
2 is, sir.

3 CHAIRMAN SCHIFFRIN: Mike Boyd.

4 MR. BOYD: Mr. Maxwell told me he was the
5 fourth card and got moved to 44, and I was told I
6 was 45. So I'm just kind of wondering where my card
7 is now.

8 CHAIRMAN SCHIFFRIN: You are the fifth
9 person down.

10 MR. BOYD: What's that?

11 CHAIRMAN SCHIFFRIN: I'm sorry. You're
12 the fifth person down.

13 Mr. Kennedy. Is Tim Duane here, and then
14 after you is Joan Timpany. Is she still here?

15 Okay. And after her is Fiona Cogan.

16 Okay. Mr. Kennedy, go ahead.

17 MR. KENNEDY: Hi. My name is
18 Pete Kennedy.

19 I wanted to speak especially to the
20 environmental leadership of the building itself or
21 the lack thereof. I agree that carbon offsets are a
22 total cop-out, and the government needs to build
23 good, third party, verifiable green buildings in all
24 regards. I'm a planning commissioner in Santa Cruz,
25 and if we're going to expect the private sector to

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1 do this stuff, we'd better leave a lead
2 certification or a real solid green building for a
3 project like this.

4 My other quick comment, I know it's late
5 but I came into the parking lot -- this is not EIR-
6 related, but I came in the parking lot and was so
7 stoked to see the Priuses. And then as I worked my
8 way around, one was parked right in the fire lane,
9 and I really feel like this project, the whole desal
10 thing is about that we've got an emergency, we need
11 water, and parking a Prius in the middle to obstruct
12 it is not a very good way to go.

13 So thanks for your time.

14 CHAIRMAN SCHIFFRIN: Thank you.

15 MR. DUANE: Hi. My name is Tim Duane, and
16 I'm a professor at U.C. Santa Cruz in environmental
17 studies. I have not been here 40 years. I've only
18 been here four yours. I spent 18 years at Berkeley
19 teaching environmental planning and policy and
20 infrastructure planning. And I spend a lot of time
21 with EIRs. And I don't have a dog in this fight,
22 and don't have a view of what you should do with
23 this project yet.

24 I do have a view of how you should think
25 about the EIR, though.

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1 The way I read this EIR as it is, is that
2 the project's objectives have been defined in such a
3 way that there's only one possible alternative. And
4 so what was it like if you're looking for a house,
5 and you decided what the project objective was: a
6 four-bedroom house with a really nice view of the
7 bay, that was walkable to anything you wanted, that
8 was affordable. And we all know from having looked
9 for houses or renting apartments that there are
10 always tradeoffs. And it might be that we defined
11 that we wanted a four-bedroom house with 2,000
12 square feet, but there's a three-bedroom house with
13 a den that's 1,960 square feet that actually might
14 be within our reach. I think that's how we have to
15 think about this EIR.

16 The job of this EIR is to let us actually
17 flush through the alternatives when we are making
18 the decision. It is not to tell us all that this is
19 the only house we can buy. And the way it's written
20 right now, that's what it says. It's either, have
21 this house or be homeless. That is not our choice.
22 Okay.

23 You -- I actually don't want any applause
24 for anything I'm saying.

25 What I want you to think about is, what

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1 can you do from here forward? What you could do
2 from here forward, as the commissioners, as the City
3 Council, as the district representatives, you can
4 make this the best decision document possible so
5 that the people who will ultimately make this
6 decision, who it turns out are not me, it's all the
7 people in our community who haven't yet heard about
8 it and don't know where the project is, so that they
9 can have that discussion. Do we want to live in a
10 slightly smaller house if it means that we could
11 also have the view? Or do we want to have the
12 bigger house because it means we have to drive our
13 car longer? Or do we want to have two stories and a
14 compact little thing with a Murphy bed so that we
15 can walk downtown? We aren't having that discussion
16 here. That's what the EIR is supposed to allow us
17 to do.

18 We want to have leadership, we want you to
19 have that discussion. You're telling us, we spent
20 25 years talking about it. Trust us. This is the
21 only house.

22 I don't -- I'm not convinced yet. I don't
23 want to praise or bury the EIR, or the desal plant.
24 I want us to have the discussion that will not then
25 have people just on either extreme saying, you're

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DESAL HEARING 07 01 13.TXT

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1 going to make us homeless. You're going to not be
2 able to live in this house.

3 We've got to figure out what's best for
4 the community that will reconcile these tradeoffs.
5 I think you can do that, but you have to define the
6 project alternative in a way -- a project objective
7 in a way that isn't just feasible, not feasible. Is
8 it 35 percent? What's the difference? Is it a
9 35 percent cutoff, or 20 percent cutoff, or 15
10 percent? Are we willing to cut up to five percent
11 probability rather than three percent probability?

12 MR. COLWICK: Time is --

13 MR. DUANE: That's what you can do in the
14 Final EIR.

15 CHAIRMAN SCHIFFRIN: Thank you.

16 So this is Joan Timpany. Is she here?
17 Then Fiona Cogan. Then after her is Michael Boyd,
18 and then John Aird.

19 Go ahead, ma'am.

20 MS. TIMPANY: Hello, good evening. Thank
21 you for allowing me to make these comments.

22 So the first thing I'd like to say is I'm
23 very concerned. I'd like to endorse what the last
24 speaker said. I'm concerned that there is a jump to
25 solution here, and this solution is that we actually

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1 have to damage our environment in order to stay in
2 this environment. And I think your brochure, your
3 brochure does a very good job of highlighting why
4 people live here, or they come here to visit because
5 of the beautiful environment. West Cliff, the
6 coast, the bay. And I think we need to be so
7 careful that we don't look after ourselves at the
8 expense of destroying the reason we're here. And I
9 think the reason most people are here is because of
10 that beautiful environment. So we need to be
11 finding a solution that does not damage any of that.
12 So we need to be looking after the bay and the
13 wildlife, and we need to be looking for a way of
14 utilizing existing commercial property and using
15 that, not damaging the environment of coves and
16 cliffs and people's recreation.

17 And so I would really encourage a more
18 commercial look at this, looking at what
19 alternatives there are, and how we can address them.
20 Because there's no point in having water if no one
21 wants to live here. Why do you want water -- I
22 mean, who cares if businesses are going to be
23 affected, because if people don't come here and
24 don't want to live here, then you don't need water
25 in the first place. So, please, take a big picture.

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DESAL HEARING 07 01 13.TXT

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1 Don't get lost in the trees. Look at the forest is
2 my request.

3 Thank you.

4 CHAIRMAN SCHIFFRIN: Thank you.

5 Okay. Next is Michael Boyd, then
6 John Aird, and then Win Alexander.

7 Mr. Boyd.

8 MR. BOYD: My name is Michael Boyd. I
9 live at 5439 Soquel Drive, Soquel, California, in
10 the Soquel Creek Water District.

11 I have a document that I would like to
12 give to someone when I'm done with this. Obviously
13 I can't read or speak it in three minutes.

14 Essentially I'm not happy to be here. I'm
15 not thankful. I'm mad. Because the people that are
16 conducting this EIR are should be disqualifying
17 themselves. Because once Measure P passed with
18 72 percent of the voters' approval saying that you
19 couldn't spend any more money on this, it included
20 in there that it was -- it went back retroactive to
21 the effective date, which was July 2nd, 2012. So
22 any nickel or penny that anyone would spend on this
23 desal project was prohibited by Measure P.

24 Now, you guys seem to think, especially
25 I've seen the water district director up here, that

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1 you have some kind of First Amendment rights.
2 You're the government. The government doesn't have
3 First Amendment rights. That's for the people. Not
4 the government. Okay.

5 And when members that are government
6 officials, or bureaucrats, or whatever, when they
7 sign a pledge to a lobbying group, Cal Desal, I see
8 that as a violation of my Federal civil rights under
9 color of State law.

10 There's a law according to U.S.C. 1983
11 that was adopted in 1872 called the Ku Klux Klan Act
12 that was adopted because in the south they had a
13 practice of joining this affiliated group called the
14 Ku Klux Klan, the members of the government, the
15 bureaucrats, and they had a habit of lynching judges
16 and politicians of a certain complexion. So the
17 Federal Government had to -- and that law is to
18 protect them from being lynched. That's the law I'm
19 suing you guys under, and that law says I can go
20 after you individually for damages.

21 MR. COLWICK: 30 seconds.

22 MR. BOYD: So now what that means is,
23 especially the consultant here, you should study
24 everything I've put in here. I've got some good
25 alternatives and stuff. But just remember this: If
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1 I win, you've gotta pay every dime you took from me
2 back, every single nickel. That's what I'm after,
3 my money back that you stole.

4 Thank you.

5 CHAIRMAN SCHIFFRIN: Thank you.

6 Next is John Aird, then Win Alexander, and
7 then Ellen Spottswood. Is she here?

8 AUDIENCE MEMBER: She had to leave.

9 CHAIRMAN SCHIFFRIN: She left. Okay.

10 Then after her is Mark Mesiti-Miller.
11 He's still here.

12 Okay. Mr. Aird.

13 MR. AIRD: Good evening. I live here in
14 Santa Cruz and have been following this for some
15 time.

16 One thing that I want to just raise that's
17 not exactly on topic, but I think this should have
18 been televised as the Soquel hearing was, because
19 there are a lot of people that aren't here. It's
20 not important that they hear me, but it's important
21 that they hear the information that was presented,
22 and they hear from a cross-section of this community
23 about what they think about the EIR.

24 So for the City to say this is transparent
25 process and everything that's been done -- you know,
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DESAL HEARING 07 01 13.TXT

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1 that could be done has been done, is just -- I don't
2 like it, and I don't feel proud of our community
3 that this is happening.

4 Now, to the substance, there was one issue
5 that I'm very concerned about, and that is the
6 conclusion that this will not have any effect on
7 growth.

8 Specifically the document says, the
9 project would not foster unplanned growth, but would
10 indirectly support planned growth. The keyword is
11 "planned."

12 What drives the plan is the General Plan.
13 I think this EIR should specify in detail what the
14 General Plan, which is the root of this, what they
15 are outlining for the growth of this community. It
16 is not moderate growth. It is strong growth. And
17 even the planning staff that addressed the driving
18 statistics acknowledged in the memo to the planning
19 director that the choice that was being made was the
20 highest planned growth that was possible, that was
21 conceivable.

22 Now, if people in this community knew that
23 what's behind this project is U.C.S.C. growth and
24 planned growth of that type, I don't think they'd be
25 real pleased, so I think that should be specified in

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1 the EIR.

2 My final comment is -- relates to the
 3 opportunity cost. This is on the needs section. If
 4 any of you have ever run a business, if you're going
 5 to put money into something, you're giving up money
 6 elsewhere. And I think that the need section of
 7 this EIR, and to be honest I haven't read it so
 8 thoroughly so that maybe it is covered, but if it is
 9 not covered, I think it should address the
 10 opportunity cost of pursuing this project as opposed
 11 to other priorities that this community feels are
 12 higher priorities. I would suggest to you: People
 13 are a lot more interested in safety issues,
 14 environmental concerns, and a number of the other
 15 things that have been said here tonight rather than
 16 protecting the small risk that occurs here for
 17 drought and the possible mobility to adjust to that.

18 Thanks a lot.

19 CHAIRMAN SCHIFFRIN: Thank you.

20 So we really only have Win Alexander,
 21 Mark Mesiti-Miller, and Barbara Riverwoman.

22 The other statement was a statement that
 23 was left and was requested to read it into the
 24 record, but I think we'll just give it to the -- it
 25 will be transcribed into the record, and we'll do it

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1 that way so we won't have to take the time to listen
2 to it here.

3 Go ahead.

4 MS. ALEXANDER: Hello. First of all, I'm
5 simply amazed by all the wonderful speakers. These
6 people have done their homework. They're
7 knowledgeable, they're hard working. And only in
8 Santa Cruz would you find people that dug this deep
9 to find out what they're really talking about.

10 But I don't know that really anyone's
11 listening. To me, this is a dog-and-pony show, so
12 somebody can say, yeah, we considered all the
13 responses.

14 Well, with the facts presented, if we were
15 in a court of law, the citizens have provided beyond
16 a reasonable doubt a hundred times over. So if the
17 facts don't justify this, what does? Greed? Back
18 door deals? Government intending to do what it
19 wants in the face of the facts that just don't fly.
20 Monies are spent to line the pockets of snake oil
21 salesmen.

22 I think you guys were sold a bill of goods
23 that's not any good.

24 Yes, I do take this assault personally.
25 It will put a family business out of -- that's been

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DESAL HEARING 07 01 13.TXT

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1 owned by the family since 1956.

2 Golf courses aren't required to recycle.

3 U. C. S. C. doesn't conserve.

4 When we tried to use gray water for
5 gardening, the City of Santa Cruz said it's illegal.

6 Oh, but now when they want a desal plant, they've
7 changed that ordinance. Oh, we made it legal now.

8 Yeah, because if you wanted something, you didn't
9 what somebody to throw this in your face.

10 But the facts are when you've been
11 directly working against recycling and in handling
12 water properly. When I have discussed this with
13 people from the water department, I said, look, we
14 can build homes better, we're smarter than that. We
15 can take water -- nobody has to put -- drink the
16 water in the toilet. We're not going to drink it
17 anyway unless we're the family dog. So why can't we
18 design homes that use the water twice? We could cut
19 our water consumption in half. It could be done in
20 a lot of homes. Maybe not every one.

21 I was told that, we're so built out
22 anyway, it wouldn't make a difference. Yeah? You
23 think so? Well, it makes a difference to me because
24 if you try to confiscate my property, Mr. Baskin
25 will tell you, I will hire some of the best lawyers,

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DESAL HEARING 07 01 13.TXT

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1 I will be chained to the gate with my very extended
2 family and grandchildren whose livelihood you're
3 putting out of business. So expect to see it on TV
4 with all the cameras. I will give you so much bad
5 press.

6 Don't worry, your time's up.

7 And you won't even -- you can't stand the
8 heat, so get out of the kitchen. So my suggestion
9 is you do your homework a whole lot better because
10 these people deserve -- they did their homework;
11 time for you to do yours.

12 CHAIRMAN SCHIFFRIN: Thank you.

13 Mr. Mesiti-Miller, then
14 Barbara Riverwoman. Is she here? Okay.

15 You may be the last speaker.

16 MR. MESITI-MILLER: Hi. My name is
17 Mark Mesiti-Miller. I'm a professional civil
18 engineer here in Santa Cruz. I've lived here for
19 just over 30 years. I'm presently residing a few
20 blocks from here over on Meder Street.

21 I've run and operated an engineering
22 consulting firm in downtown Santa Cruz for the last
23 25 years, and I'm here really to talk about the
24 impact of the no-project alternative, which I think
25 could be more fully vetted in the EIR.

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1 I'm, frankly, terrified that the whole
2 impact of the no-project alternative has not been
3 adequately addressed.

4 Some years ago, a U.C.S.C. study was
5 undertaken to evaluate the economic impact of a
6 destruction in the California water project, the
7 aqueduct. And they determined there would be about
8 a reduction in water of about 12 percent,
9 curtailment of about 12 percent to the L.A. basin.
10 That could basically result in an economic recession
11 equivalent to the last economic recession we had
12 which started in 2008 which you all are very
13 familiar with.

14 My business suffered about a 30 percent
15 loss of revenue. About one-third of my staff are no
16 longer employed. My business is not alone. In the
17 '80s the industry, architect/engineer/constructor/
18 contractor industries, the building industry,
19 that's, a one-third reduction is modest. Many
20 businesses have vanished altogether.

21 The no-project environmental impacts are
22 also not adequately addressed in the EIR. The loss
23 of jobs will generate more commuting. There is --
24 people need to work. They're going to be driving
25 the hill. If our goal is to reduce our vehicle

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1 miles traveled, reduce our carbon footprint, this
2 will lead to an increase in that, so that that
3 no-project alternative will have an environmental
4 impact.

5 Those high water use industries, such as
6 health care, our hospitals, medical facilities, our
7 hotels, our restaurants that serve the tourist
8 industry, if they can't wash their laundry and do
9 that sort of thing, they're going to be shipping
10 that out of the county. It will be going over the
11 hill to someplace that's got water. That's going to
12 increase our vehicle miles traveled. It's going to
13 increase our carbon footprint.

14 The loss of business is going to result in
15 the loss of revenue to our community. That loss of
16 revenue is going to translate to a decrease in our
17 public infrastructure, a decrease in the available
18 resources for public safety, and not to mention the
19 loss of recreational opportunities that are
20 available for the members of our community.

21 So I urge you to --

22 MR. COLWICK: 30 seconds.

23 MR. MESITI-MILLER: Thank you.

24 I urge you to carefully evaluate the
25 impact of the no-project alternative, particularly

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1 on our communi ty, the economi c communi ty, busi ness
2 communi ty, and all of our children and others that
3 live here.

4 I thank you for your time and I appreciate
5 the sacri fices you make in your publi c servi ce.

6 Good ni ght.

7 CHAIRMAN SCHIFFRIN: Thank you very much.

8 Is Barbara Riverwoman here?

9 MS. TIMPANY: I need to come forward.

10 You made a comment that I feel I need to
11 pursue.

12 CHAIRMAN SCHIFFRIN: I'm sorry. You had
13 your chance to speak. The publi c hearing is over.

14 MS. TIMPANY: You just said something.

15 I'm just concerned. You just said that
16 you would read somebody's comments into the record,
17 and that's the same as presenting. I don't see that
18 being the case.

19 Okay. Great.

20 MR. COLWICK: This is a comment by
21 Rachel O'Malley.

22 Energy impacts are underestimated. They
23 should be identi fied as signi fi cant in the FEIR.

24 Let's see.

25 In the FEIR, please quanti fy the costs of

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1 repiping the City/County/U. C. S. C. facilities to
2 accommodate reclaimed water use in toilets and other
3 non-potable and irrigation applications as is done
4 in San Jose and at San Jose State University --
5 "purple piping" -- from the Neary Lagoon treatment
6 plant.

7 2) Please quantify the water savings
8 potential for directing reclaimed water to
9 agricultural irrigation in the service area as is
10 done in Monterey.

11 3) Please consider both of these as
12 viable alternatives during the DEIR process.

13 Please provide a public hearing in a
14 location accessible to lower income residents who
15 will bear long-term environmental costs of the
16 project. And please provide a written translation
17 of the DEIR in Spanish.

18 CHAIRMAN SCHIFFRIN: Okay.

19 The public, this item is completed.
20 We're -- I want to thank everybody for coming and
21 testifying. All of your comments will be responded
22 to in the Final EIR when it comes out.

23 So thank you again for being here.

24 (End of proceedings.)

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1 R E P O R T E R ' S C E R T I F I C A T E

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3 I, PATRICIA GOULET, a Certified Shorthand
4 Reporter in and for the State of California, hereby
5 certify that the foregoing transcript of the Public
6 Comment Hearing is a full, true and complete
7 transcript of the proceedings had at the taking of
8 said Public Comment Hearing, reported to the best of
9 my ability and transcribed under my direction.

10 I further certify that I am not of counsel
11 or attorney for either/or any of the parties to the
12 said hearing, nor in any way interested in the event
13 of this cause, and that I am not related to any of
14 the parties thereto.

15

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19 Date: October 10, 2013

PATRICIA GOULET,
CSR Number 8315

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