TABLE 2-8 PARTIES COMMENTING AT THE JOSHUA TREE PUBLIC MEETING

Ruth Musser-Lopez	Individual
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Ramon Alviso Mendoza	Individual
Bruce Akana	Individual
Robert R. Dunn	Individual
Rob Fleck	Fairfield Inn & Suites by Marriott in Twentynine Palms
Dennis Shearer	Ameron International Corporation
Tom Beeghly	National Chloride Company
Leigh Adams	Individual
Tom O'Key	Individual
Andrew Stone	Individual
Phillip Smith	Individual
Seth Shteir	National Parks Conservation Association (CBD et. al)
Helena Bongartz	Individual
Bob Minella	Lawrence Objection of Community
Doug Watson	Layne Christiansen Company
Chris Brown	Individual
Dave Fick	Individual
Bill Garvin	Individual
Charlie Hoherd	Roscoe Moss Company
Brendan Hughes	Individual
Sequoia Smith	Individual
Pat Flanagan	Individual
Almut Fleck	Individual
Jean McLaughlin	Individual
Emily Green	Individual
Conner Everts	Individual
Tom Askew	Individual
Stacy Doolittle	Individual
Debbie Cook	Individual
Karen Tracy	Individual
Kathy Phelan	Individual
Ron Bowers	Individual
Claudia Saw	Individual

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1	ENVIRONMENTAL SCIENCE ASSOCIATES	1	ENVIRONMENTAL SCIENCE ASSOCIATES
2	JOSHUA TREE	2	JOSHUA TREE
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4		4	
5	In the Matter of the)	5 In	the Matter of the)
	Public Review Meeting)	Pul	olic Review Meeting)
6)	6)
	RE: All items on the)	RE:	: All items on the)
7	Agenda including, but not)	7 Age	enda including, but not)
	limited to, THE CADIZ VALLEY)	lir	nited to, THE CADIZ VALLEY)
8	WATER CONSERVATION, RECOVERY,)	8 WA:	TER CONSERVATION, RECOVERY,)
	AND STORAGE PROJECT)	ANI	O STORAGE PROJECT)
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10		10	
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14		14	
15	TRANSCRIPT OF PROCEEDINGS	15	TRANSCRIPT OF PROCEEDINGS, taken at
16	Joshua Tree, California	16	Joshua Tree Community Center, 6171 Sunburst,
17	Wednesday, February 1, 2012	17	Joshua Tree, California, commencing at
18		18	6:04 p.m. on Wednesday, February 1, 2012,
19		19	heard before JOSHUA TREE COMMUNITY,
20		20	reported by SHERMISH E. COLEMAN, CSR No. 12992,
21		21	a Certified Shorthand Reporter in and for the
22	Reported by:	22	State of California, pursuant to Notice.
23	SHERMISH E. COLEMAN	23	
	CSR No. 12992	24	
24		25	
	Job No.:		
25	B7899ESA		

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1	APPEARANCES:	
2	ESA VICE PRESIDENT:	
3	ESA DIRECTOR:	TOM BARNES
4	SANTA MARGARITA WATER DISTRICT	
	CHIEF ENGINEER:	DAN FERONS
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1	I N D E X	
2	SPEAKERS:	PAGI
3	Dan Ferons	6
4	Leslie Moulton	10
5	Tom Barnes	19
6	Ruth Musser-Lopez	26
7	Ramon Alviso Mendoza	29
8	Bruce Akana	32
9	Robert Dunn	32
10	Rob Fleck	33
11	Dennis Shearer	33
12	Tom Beeghly	34
13	Leigh Adams	35
14	Tom O'Key	35
15	Andrew Stone	38
16	Phillip Smith	39
17	Seth Shteir	41
18	Helena Bongartz	45
19	Bob Minella	46
20	Doug Watson	48
21	Chris Brown	50
22	David Fick	52
23	Bill Garvin	53
24	Charlie Hoherd	54
25	Brendan Hughes	55

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1	I N D E X (Co	ntinued)	1	Joshua Tree, California, Wednesday, February 1, 2012
2	SPEAKERS:	PAGE	2	6:04 p.m.
3	Sequoia Smith	57	3	
4	Pat Flanagan	58	4	
5	Almus R. Fleck	60	5	MR. FERONS: My name is Dan Ferons, and I'm a civil
6	Jean McLaughlin	62	6	engineer for the Santa Margarita Water District.
7	Emily Green	63	7	MS. MUSSER-LOPEZ: How do you spell your last name?
8	Conner Everts	65	8	MR. FERONS: F-e-r-o-n-s. Thank you all for coming
9	Tom Askew	68	9	tonight. We appreciate everybody taking time out of their
10	Stacy Doolittle	69	10	evening to come here. This is our second of two public
11	Debbie Cook	70	11	meetings. We're having a comment meeting with you folks to
12	Karen Tracy	72	12	give you the opportunity to provide us comments on the Draft
13	Kathy Faylan	74	13	EIR. The agenda as I said, I'm Dan Ferons, Chief Engineer
14	Ron Bowers	78	14	of Santa Margarita, and I'm going to describe a little bit
15	Claudia Saw	88	15	about Santa Margarita Water District and why we would be
16			16	interesting in the project. Then I'm going to turn it over
17			17	to
18			18	MS. MUSSER-LOPEZ: Is that agenda available to us or
19			19	only on the screen?
20			20	MR. FERONS: Only on the screen.
21			21	MS. MUSSER-LOPEZ: Well, okay. For the record, I
22			22	would just like to say we do not have a copy of the agenda.
23			23	I'm sorry. You need to have that. It's not fair to us.
24			24	MR. BARNES: What was your name?
25			25	MS. MUSSER-LOPEZ: Ruth Musser-Lopez. That's so unfair

1 to the public. Excuse me.
2 MR. FERONS: Then we're going to turn it over to

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3 Leslie Moulton and Tom Barnes who work for ESA, and they're

4 the authors of the of Draft EIR. Kind of walk through the

5 Draft EIR and the process we're going through, and then we're

going to open up the public comment. There are a lot of

folks here tonight, so we're asking for folks to talk about

8 three minutes. If you have something longer than that, you

9 know, we'll bring you back up at the end, but we want to make

10 sure we give everybody an opportunity to comment.

11 There's also the opportunity to provide written

12 comments if you want instead of speaking today, too, so

13 either way is fine. We really very much are interested in

14 your comments on the document and the process.

15 As you know, Santa Margarita is located in Southeast

16 Orange County. One of the big questions I'm sure, is why we

17 would be interested in a project in San Bernardino County?

8 We rely on imported water. The way the district was developed,

19 the area we're in is tied to the Metropolitan Water District

20 system, and we have pipelines that bring water from a

21 treatment plant in Yorba Linda down into our district.

22 Our district is Mission Viejo, part of San Clemente,

23 Coto de Caza, Rancho Santa Margarita, that area. And so the

24 district in dry years, the environmental regulations we're

trying to look for opportunities that enhance our reliability

1 +c	the	water	supply	that	TAT	harro	Roth	the	Delta	and	+hc

- 2 Colorado River, which are major supplies to us, fluctuate
- 3 dramatically every year, as we've all heard about and read
- 4 about. This is as of January 16th, so the red line was
- 5 rainfall from last year.
- 6 The blue line on there is rainfall for this year for
- 7 the Northern Sierra. The bright blue bar area there is the
- 8 average, so we're in the La Niña year. Last year, we were in
- 9 the La Niña year. This year in the state of California, and
- 10 both are dramatically different. Same thing is happening on
- 11 $\,$ the -- pushing the buttons too fast -- on the Colorado River
- 12 Basin. Same thing happens every year. We get wet years. We
- 13 get dry years, and it's the cycle we go through. Storage is
- 14 important, so that we can get through some of these cycles.
- 15 Santa Margarita's participation, you know, we'd like
- 16 to think that we're somewhat of an innovative district. We
- 17 do a lot with conservation. We emphasize trying to get rid
- 18 of lawns, drought-tolerant landscaping. We have dedicated
- 19 staff. We meet with customers who have high water usage to
- 20 audit their water use try to encourage them. We have the
- 21 tier grade structure to encourage less water use. We're
- 22 involved in water recycling.
- 23 We realize that, you know, water is coming into the
- 24 district from 200 miles away. It's important to use it as
- 25 many times as we can, so we have a two water reclamation plants.

0009 We use recycled water for irrigation of parks, schools, medians, all those kinds of things. We're involved in what's called the Baker Treatment Plant, which is a small treatment plant located in Lake Forest. The idea of the Baker Treatment Plant is reliability. 5 We look at our reliability in two elements. One is 6 supply reliability, and one is system reliability. System being if something breaks, what happens? How do you get water? The Baker plant really does help us with our system. We're working on a project with part of a group that's looking at 10 a desal plant in Huntington Beach. That would be a supply 11 reliability. An alternative source of water. 12 MS. MUSSER-LOPEZ: Excuse me. Is this a public hearing 13 or a sales pitch, because you're talking about Orange County, and we want to talk about our water. 1.5 MS. MOULTON: Can you reserve your comments. 16 MS. MUSSER-LOPEZ: Your three minute are up. 17 MR. FERONS: You'll have your opportunity to speak. 18 19 MS. MUSSER-LOPEZ: I know you brought a bus full of people 20 from Orange County. 21 MR. FERONS: Could you be quiet, please. Thank you. MS. MUSSER-LOPEZ: And this is your meeting. It isn't our 22 meeting. You're not from San Bernardino County, but please. 23

MR. FERONS: I think the folks would like to hear it,

24

please.

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1	MS. MOULTON: We'll just move through.
2	MR. MENDOZA: Yeah. I'd like to hear what he has to
3	say.
4	MS. MUSSER-LOPEZ: Of course, you're for the project.
5	MR. FERONS: $\operatorname{}$ and these projects will help diversify
6	our portfolio. That's you know, that's one of the reasons
7	why we're interested in it. We're the lead agency on it, and
8	there are six other agencies that are participating in this
9	project. And that was my sales pitch.
10	And now I'm going to turn it over to Leslie Moulton
11	to talk about the EIR process.
12	MS. MOULTON: Thank you. I think most people are
13	familiar with EIR and the EIR process. It's required by the
14	California Environmental Quality Act, CEQA, that projects
15	that public agency is going to approve such as this one goes
16	through an environmental review process and have an EIR
17	prepared. So this is an outline of the process that we have
18	been through.
19	We started officially and formally in March of 2011
20	noticing the public that an EIR would be prepared. We have
21	a 30-day scoping period and it's required, and we held two
22	public meetings; one out in this community and one in the
23	Santa Margarita Water District. We then went about the
24	business of preparing and doing the analytical work required

25 to prepare the Draft EIR, and that was published on

0011 December 5th with a notice that went out again to public and agencies that the review period was open. A 45-day review period is required. To date, we have a 70-day review period, and that concludes in two weeks on February the 13th. 5 MR. SHTEIR: Leslie, can I tell you one thing about that review period -- sorry to interrupt, but it falls through major holidays. MS. MOULTON: I appreciate your comments. Please give us your concerns about process and content when you speak. We held a community workshop out here on 10 January 11th, we've had two -- this is the second of two 11 public comment meetings to comment on the content and the 12 13 process for the Draft EIR. Last week, we were in Santa Margarita 14 Water District, and tonight we're here in your community. The response to comments document will be in the Final EIR and is 1.5 the next thing we will produce. 16 Once the public comment period ends, we will respond 17 to all comments that we receive in writing. We will publish 18 19 those responses and distribute those for review to the public 20 and the agencies who commented and anyone who is interested. And it is at that time the CEQA lead agency, Santa Margarita 2.1 Water District, can consider first certifying the EIR, and 22 second, after that, they can consider possible approval of the 23

project. So that's the order of events that's coming up for

24

us this spring.

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1	The key project objectives for the Cadiz Project ar
2	to maximize the beneficial use of the groundwater that occur
3	at the project site, and we'll discuss that. To capture and
4	use water that presently is lost through evaporation from th
5	dry lake system. It is also to improve the water supply
6	reliability within Southern California for the participants
7	who are involved in the project, and similarly to then reduce
8	the reliance on imported water that comes from the Sacrament
9	River Delta and the Colorado River system as Dan explained.
0	Oops, I went too fast as well.
1	Here is an overview map that you're probably
2	familiar with, but Southern California imports most of its
3	water supply, and it comes either from Northern California, $% \left(1\right) =\left(1\right) \left(1\right) $
4	from the Sacramento River Delta or from neighboring states
5	along the Colorado River system that's imported into Souther
6	California. So the Cadiz Project represents a supplemental
7	supply that would be local to the Southern California region
8	There are six water entities that are participating
9	in the project to date, and they're listed here. The seven $% \left(1\right) =\left(1\right) \left(1\right) \left$
0	entity is the Arizona-California Railroad Company. They own
1	a railroad right-of-way through the project region, and the $% \left(1\right) =\left(1\right) \left(1\right) $
2	proposed pipeline would be built within the disturbed area
3	of the existing railroad right-of-way. They will also
4	participate by getting a small amount of water to use to

support their railroad operations in the project region.

0013 The project operator will be the Fenner Valley Mutual 1 Water Company, and that will consist of the participating agencies along with the Cadiz Project sponsor. So together, 3 they will make up the project operator. There are maps in the room and also in the EIR if you would like a chance to look at those, but they outline where the facilities would be located and where the project participants would use water for their customers throughout the Southern California region. 9 Let me just give you a little overview of the 10 project location, which I expect many of you are aware of. The project is located -- the facilities we'll discuss are on 11 the Cadiz property. The Cadiz property is in green, and the 12 13 facilities area is outlined in orange. And again, these maps 14 are also up in the room if you'd like a closer view. 15 And the watershed and the groundwater resource that we're talking about is located within this blue line that 16 outlines three interconnected watershed basins that form a 17 closed system of surface water and groundwater that flows 18 19 from the northeast to the southwest to these dry lake areas, 20 Bristol and Cadiz Dry Lake area. 21 MS. MUSSER-LOPEZ: In San Bernardino County. MS. MOULTON: And they are in San Bernardino County, 22 and thank you for that. And we are in the Mojave region. 23

Just a few facts about the watershed within where the project

is located. It is 2700 square miles. It is a closed system,

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1	and I think many of you understanding that it is that this
2	surface water/groundwater system does not have an outlet for $% \left(1\right) =\left(1\right) \left(1\right)$
3	a river or the ocean. The low point in the basin are these
4	dry lakes, and groundwater moves through the system over time
5	and eventually collects and evaporates through the dry lake
6	system. It doesn't spill into another groundwater basin; it
7	doesn't surface and become part of surface water system in an
8	adjacent watershed. There's an estimated 17 to 34 million
9	acre-feet of water in that area that was outlined in blue on
10	the previous map. And again, the groundwater flows through
11	the system to the southwest and evaporates from the dry lake $% \left(1\right) =\left(1\right) \left(1\right) $
12	system.
13	There are two components to the overall Cadiz
14	project program. The first is called the Groundwater
15	Conservation and Recovery Component, and it involves pumping $% \left(1\right) =\left(1\right) \left(1\right)$
16	up to 50,000 acre-feet of water annually from the basin and $% \left(1\right) =\left(1\right) \left(1\right) $
17	delivering that to the participating agencies in Southern
18	California. It is targeting water that I'll show you some
19	schematic on that is moving through the groundwater system
20	toward the dry lake and evaporating out of that system and
21	looking to capture that water for beneficial use.
22	The second part of the program is called the
23	Imported Water Storage Component. This is the future phase

of the project that's contemplated, and it's a groundwater banking storage program whereby other participants would

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- 1 bring their surface water to the Cadiz Project area recharge
- 2 it into the ground to recharge basins and store it there
- 3 until they need it at a future time. So it's a banking
- 4 program that people would make available, take advantage of
- 5 by storing their surface water.
- 6 The first phase of the project gets detailed review
- 7 in the Environmental Impact Report. We call that project
- 8 level review. We have detailed information about the
- 9 facilities, the operations, and the participants. And this
- 10 is the first stage of the project that is going to be
- 11 considered for implementation and approval after we move
- 12 through the EIR process.
- 13 The second phase, the groundwater banking program,
- 14 the storage program, is a future phase that's evaluated at a
- 15 program level. That means conceptually. We don't yet have
- 16 detailed information about the facilities, the operation, or
- 17 the participants. But in accordance with CEQA, they do ask
- 8 you to look to the future phases of the project and at this
- 19 point, to disclose what do you think might be the subsequent
- 20 phases of the project. So we do an analysis of this second
- 21 phase as well.
- In the future, when these details are developed,
- 23 there will be another round of environmental review
- 24 specifically on phase II if it is to go forward. A little
- 25 more on the project facilities for phase I. A wellfield

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- 1 would be located on the private property within this orange
- 2 area that's outlined here, so this is a network of wells that
- 3 would pump the groundwater, and they would deliver it to a
- 4 new pipeline, 43 miles, that would extend along the railroad
- 5 corridor that's there within the right-of-way, and it would
- 6 intertie to the existing Colorado River Aqueduct, which is
- owned and operated by the Metropolitan Water District of
- 8 Southern California. So those are the facilities in the near
- 9 term phase I project.
- 10 Phase II, if it moves forward, would build on those
- 11 facilities. The wellfield would be expanded so additional
- 12 wells would be put in here. New spreading basins would be
- 13 built in this area to receive and recharge the surface water.
- 14 They would make use of these pipelines that was built as part
- 15 of phase I, and they'll also take a look at possibly using
- 16 other existing pipelines that are in this region, former
- 17 facilities from natural gas, oil, et cetera, that are there,
- 18 but not being used, that might allow the project to connect
- 19 not only to the Colorado River Aqueduct, but also to the
- 20 state water project, which would allow participants to
- 21 bring different surface water supply infrastructure. So
- 22 that's the future phase, and again, that would receive
- $23\,$ detailed environmental review once details are developed.
- 24 A quick overview of how it works. We discussed the
- $25\,$ $\,$ groundwater moves through the watershed system and moves down

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- gradient towards the low point, which is the dry lakes,
- 2 Bristol and the Cadiz Dry Lake over here. The wellfields
- 3 would be located in what's called the Fenner Gap area on
- 4 Cadiz property, and it would intercept water that is
- 5 naturally recharging and moving toward the groundwater basin
- 6 towards the dry lakes. Under the dry lake is the salty brine
- 7 water concentrated over many years that the system has
- 8 been forming. The project would also pump enough to bring
- 9 water back, essentially, from the dry lake so that a certain
- 10 amount of fresh water has already moved past the propose
- 11 wellfields, and the intent is to before it can evaporate and
- 12 be lost from the system, to pull it back and pump it out for
- 13 beneficial use.
- 14 So here is a quick schematic that is also in the EIR
- 15 that shows that same process. Water moves past the proposed
- 16 wellfields to the dry lakes and evaporates. Once you start
- 17 pumping for the project, it would intercept water from
- 18 upgradient, and it would pull a little bit of the water back
- 19 that has already started moving toward the dry lake.
- 20 Over time, it would intentionally -- the pumping would
- 21 lower the groundwater so that more of this water just pulls
- 22 back from the dry lake and evaporation off the dry like system
- 23 is reduced, and that water is used for beneficial use. That's
- 24 the concept in how the phase I operation was set up. Also
- 25 integral to the project is the Groundwater Management,

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- 1 Monitoring, and Mitigation Plan, and it includes monitoring
- 2 protocols for all of the different sensitive resources in the
- 3 region: The groundwater basin itself, for the springs, for
- 4 the mineral resources that are on the dry lake and are mined
- 5 commercially, air quality, looking at questions of dust on
- 6 the dry lake, and parts adjacent to the watersheds. And it
- 7 includes an extensive network of monitoring facilities. Some
- 8 exist and some would be built in addition as part of the project.
- 9 This is the map that is in the EIR, and I think we
- 10 have posters of it, as well, if you would like to see the
- 11 specific facilities for monitoring that are proposed. Most
- 12 of the monitoring would be concentrated right around the
- 13 proposed area of pumping, but there are also -- monitoring
- 14 would occur more remotely in the area of the surrounding
- 15 springs. Also, there would be monitoring in the neighboring
- 16 Danby watershed, and also way over here is the Paiute watershed
- 17 to absolutely confirm providing controlling information that
- 18 these watersheds and operations in these watersheds are
- 19 closed and do not affect these adjacent regions.
- 20 The management plan has detailed action criteria,
- 21 decision making process, and corrective measures that would
- 22 be implemented for each of the critical resources. It's part
- $23\,$ $\,$ of the Draft EIR. It's presented, and it's very integral to
- 24 the mitigation plan that has been developed for the program.
- 25 Santa Margarita Water District is the CEQA lead agency, so

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- 1 they have responsibility under CEQA to ensure compliance with
- 2 mitigation, and the project sponsor and San Bernardino County
- 3 would also have ongoing responsibility for implementing the
- 4 management plan and ensuring that the corrective measures
- are implemented and the resources protected. With that, I'm
- 6 going to turn it over to Tom Barnes who's going to do a quick
- 7 review of the key findings of the impact analysis.
- 8 MR. BARNES: So the purpose of tonight's meeting is
- 9 to provide comments to the team here on the EIR,
- 10 Environmental Impact Report. So I'm going to give a little
- 11 overview of the EIR and what our conclusions are in the EIR
- 12 and then the remaining ten minutes on the presentation and
- 13 then we'll open up the public comments.
- 14 The Draft EIR evaluates the environmental resources
- 15 listed here on this slide. These are required by CEOA
- 16 guideline to review. EIR covers each one of these guidelines
- 17 and each one of these resources. Each chapter then in EIR
- 18 has an aesthetic section where it's describing the resource
- 19 significant criteria identified and EIR impact and provide
- 20 mitigation measures to avoid or substantially lessen the
- 21 impact to all these resources. So that's really the body,
- 22 the bulk of the Environmental Impact Report.
- 23 Some of the key issues to environmental resources
- 24 are construction impacts and then operational impacts. So
- 25 firstly, we outlined construction impacts. We showed the

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- 1 footprints of the project and the pipeline construction and
- 2 the wellfield construction, evaluated effect of biological
- 3 resource for those activities and cultural resources, and
- 4 then the air quality from construction equipment emissions
- 5 and then from traffic on local roadways as well. EIR then
- 6 expands to the operational component of the project. How
- 7 would the long-term operation affect the environment?
- 8 We looked at the aesthetics of the region for the
- 9 facilities and the wellfield in particular. Then, of course,
- 10 as Leslie was pointing out, the groundwater and how this
- 11 project affects the groundwater. Then we look also at
- 12 long-term air emissions from the engines on the pumps and
- 13 GHG, Greenhouse Gas Emission, and the potential for this
- 14 project to generate dust off the dry lakes, so that's looked
- 15 at extensively in the document.
- 16 So a brief overview then of the groundwater impact
- 17 conclusions in the EIR. The purpose of the EIR -- of the
- 18 project is to extract groundwater such that it creates a
- 19 gradient change and pulls some of that water back towards the
- 20 well from the dry lake area and conserves it from entering
- 21 the brine zone. That lowers groundwater levels in the region,
- 22 and so potential effects to third party wells were identified
- 23 and access to the salt mining operations was also identified
- 24 and looked at carefully. Pulling water back from the brine
- $25\,$ $\,$ under the dry lakes also may pull that saline water a little

bit closer to the wellfield so extensive groundwater modeling was conducted to see how far in that saline could be pulled and how far the drawdown would be. Another issue is subsidence of potentially lowering the ground elevation in certain areas and compacting soil, and so that was looked at extensively. And conclusions in the EIR are made. And mitigation measures provided that would include extensive monitoring of these resources. And

- 9 then for drawdown and third party well impacts, there's
 10 mitigation measures to provide well modifications for any
- 11 wells in the area that are affected to replace wells or to
- 12 provide alternative water supplies for any wells that are
- 13 affected. Also have then --

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- 14 MS. MUSSER-LOPEZ: Pumping water from the river.
- MR. BARNES: In addition to that, we have potential
- 16 to halt or modify project operations as a key component of
- 17 the Groundwater Management, Monitoring, and Mitigation Plan.
- 18 So this is a model output, and there's some bigger versions
- on the poster over here, but the EIR includes output of the
- 20 groundwater models conducted, so you can see the extent of the
- 21 drawdown. Most of the drawdown is within Cadiz property in
- this area here, but it does extend out. This scenario looks
- 23 at a 20-foot drawdown here about five miles north, 20-foot
- 24 drawdown five miles south, and the 20-foot contour over here
- 25 is about 15 miles to the east -- to the west, excuse me.

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the presentation.

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1	So that would be the that would be, you know, the
2	model scenario. Essex is about 16 miles north and Goffs is
3	about 33 miles north; Amboy is about 15 miles west to give yo
4	some perspective. Another issue of concern was the springs i
5	the high country whether or not any of these extractions on
6	the ground water could affect springs. We've evaluated the
7	location of the springs. They're all hard rock springs
8	coming from fed from above.
9	Precipitation comes from above, and this graphic
10	shows precipitation in the mountains seeping through the
11	fractures of the hard rock expressing themselves in the hard $% \left(1\right) =\left(1\right) \left(1\right)$
12	rock springs, but there's no hydraulic connection to the
13	alluvial aquifer. These alluvial aquifers are also fed by
14	that seepage through the hard rocks, but there's no hydraulic
15	connection that we found. This elevation difference is
16	substantial.
17	MR. SMITH: What's that? Could you go back to that
18	for a second?
19	MR. BARNES: If I could just get through my presentation
20	MR. SMITH: What are those clouds over there?
21	MR. BARNES: That would be rain clouds.
22	MR. SMITH: What happens when the water is not there
23	to evaporate anymore?

MR. BARNES: We can get your comments at the end of

0023 MR. SMITH: You make it sound like the evaporation of water -- taking water before it can evaporate is a good thing. I can't see that here. 3 MR. BARNES: Appreciate the comment. The point of this meeting is to get your comments. We want your comments, but 5 for the benefit of the room, we finish the presentation, then you can come up and you can speak. MR. SMITH: You're in our community; you're going to have to just deal with our community. MR. BARNES: No, I can understand that. I appreciate 10 that. 11 Another aspect of the EIR was the potential for air 12 emission stems from dust off the dry lake, so we were 13 14 concerned that lowering the groundwater could potentially affect the soil of the dry lake creating a dust situation 15 similar to an Owens Valley situation, and the EIR analysis 16 really looked at the soil quality and finds it to be sodium 17 chlorides, and calcium chloride as opposed to carbonate in 19 the Owens Valley. So soils here in this valley when they dry 20 out, they turn into more of a crust and are not susceptible to the wind erosion that you see elsewhere. So it's just the 2.1 nature of the salts and soil that are really the big difference. 22 MS. MUSSER-LOPEZ: Excuse me, sir, could you move it back 23 to that again? I didn't get a picture. 24 MR. BARNES: There's -- that same poster is right in the 25

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1	back. You've taken a picture of that poster already.
2	MS. MUSSER-LOPEZ: The one with the clouds?
3	MS. MOULTON: We're almost done.
4	MR. BARNES: Okay. Greenhouse Gas Emissions, then,
5	a key part of EIR analysis, and then construction emissions
6	from dust. The EIR concludes that the significant impact of
7	the project would be construction impact from the
8	construction vehicles of nitrogen oxide, which is a daily
9	pounds per day threshold set by the Mojave desert AQMD and
10	the project, during deconstruction, may exceed those daily
11	thresholds temporarily.
12	EIR also evaluates growth potential. The nature of
13	the project is primarily a reliability project. A reliability
14	project for water providers project participants that could
15	support a small amount of growth in these areas. And these
16	areas have adopted a general plan, and the adopted general
17	plan has significant unavoidable effects associated with the
18	growth in their region. And so this EIR concludes that the
19	connection between water supply and growth does have secondary
20	effects, and those can be significant.
21	So that is the end of our presentation this evening.
22	We'd like to open up for public comments. If you have any
23	comments that you'd like to send to us, e-mail to us, fax to
24	us, however you want to get them to us, here is all the

25 information I think that you need. The EIR, itself, is on

0025

- 1 the Santa Margarita Water District Web site, and comment cards
- 2 are available tonight. You can fill out comment cards and
- 3 give them to us tonight, or can you mail them to us if you'd
- 4 like. Last day of the comment period February 13th, so we
- 5 ask that you get your comments in prior to February 13th, and
- 6 I think that's it. So we're going to -- I have cards here.
- 7 We'll call out names. We do ask you try to limit your
- 8 concerns. If someone else has made that same concern, in the
- 9 interest of time and getting everyone's input, we'd like you
- 10 to keep your comments to three minutes, if you can.
- 11 MS. MOULTON: Let me just mention, we do have a
- 12 court reporter with us, so we're recording everything that
- 13 you tell us. If you could come to the podium and just state
- 14 your name, so that we match comments with who gave them, that
- 15 would be very helpful, and we'll also give her the speaker
- 16 cards so she can get the spelling correct. But we do
- 17 appreciate that because we want to get everything you're
- 18 telling us on the record.
- Do you have a question about procedure?
- 20 MS. MUSSER-LOPEZ: Is it possible -- I have two
- 21 questions. Is it possible for us to speak again at the end?
- 22 MS. MOULTON: Yes. If you want to continue and
- 23 we'll ask people if they want to leave, but we'll stay here.
- MS. MUSSER-LOPEZ: The second thing I want to know
- 25 if I can go first because I want to read my complaint that

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- 1 you're in violation of the Ralph M. Brown Act tonight in
- 2 holding this hearing. I want to read it into the record.
- 3 MS. MOULTON: You can give that to us whenever
- 4 vou're readv.
- 5 MS. MUSSER-LOPEZ: I want to read it into the record.
- 6 MS. MOULTON: Okav.
- 7 MR. FERONS: All right. Ruth, you're up first. The | L_Musser-Lopez7
- 8 first person is Ruth. Second is Ramon Mendoza, and then
- 9 Bruce Akana. I apologize if I'm butchering your name.
- 10 MS. MUSSER-LOPEZ: My name is Ruth Arlene Musser-Lopez.
- 11 I live in Needles, California in the area that will be most
- 12 impacted by this project, East of Kelbaker Road, where you're
- 13 not having your meeting, number 1.
- 14 Number 2, before I read this complaint about you
- 15 being in violation of your Brown Act in holding this meeting,
- 16 because you are not authorized in this county to be our
- 17 official. You are not -- you do not represent our elected
- 18 officials; you represent the elected officials in Orange
- 19 County, and you're in violation of the Brown Act, because
- 20 you're out of your jurisdiction.
- 21 But before I go into all that reading my complaint
- 22 into the record, I just want to say for the people here that
- 23 there's two failed -- very fatal flaws in this EIR. One is
- 24 that -- the big fatal flaw is these people claim from Orange
- 25 County, okay. Coming in here to take our water. They know

I Musser-Lopez7-01

I Musser-Lopez7-02

0027	7	٨	0028	,	^
1	nothing about our desert environment. They send a bunch of		1	enough investigation. They don't have the wells. They don't	
2	people here, people on the committee, one professor from Texas,		2	have information to make statements like that. We found out	
3	a bunch people come in here don't even live here. They don't		3	during the Ward Valley some of you have heard about the	
4	know. They don't have firsthand experience with the desert.		4	Ward Valley. It's got all of our water aquifers are	
5	The desert benefits from evaporation, life itself.		5	connected and most of them flow into the and they flow	I_Musser-Lopez7-03
6	We sustain ourselves here because of evaporation. We		6	into the Colorado River. They all flow downhill here and stops	
7	cannot live without evaporation here. To say that evaporation		7	at Cadiz. We have a lake there. There would be so much water	
8	is a waste is, to me, a fraud. It's telling you something that $% \left(1\right) =\left(1\right) \left(1$		8	there that there would always be a lake all the time. It does	
9	is not true. It's unscientific, and to me, all of these people $% \left(1\right) =\left(1\right) \left(1$		9	flow out. They got to prove it if they want to make statements	
10	who call themselves scientists here, to me, they're a joke.	I_Musser-Lopez7-02	10	like that. So	
11	I'm sorry. They know better. Evaporation is very important		11	MS. MOULTON: Your three minutes are up.	
12	isn't it, Phil?		12	MS. MUSSER-LOPEZ: Okay. This letter constitute the	Ţ
13	MR. SMITH: Right.		13	amendment. This letter is a complaint of a criminal act and	
14	MS. MUSSER-LOPEZ: Don't you have a swamp cooler at		14	it names all the people on the board of directors	
15	your house? Who lives in Needles here? Raise your hand.		15	specifically in denial of our fundamental U.S. Constitutional	
16	Two people from Needles, and I bet you both know what swamp		16	rights governed by our own elected officials in violation of	
17	coolers do for us. It cools us. It keeps us alive, basically,		17	the Ralph M. Brown Act as codifying the California Code	
18	so we can live here. And so we need our water. We need our		18	Section 54950. Santa Margarita Water District governed by a	
19	water on the surface, and we need it to evaporate in the air.		19	five-member board of directors elected by residents of Orange	I_Musser-Lopez7-04
20	The plants need it. Orange County's got the ocean. If they		20	County intends to conduct a public meeting in our county and	
21	didn't have the ocean, they wouldn't have evaporation. They		21	you are out of your jurisdiction. Is my time up?	
22	would be so hot, they would burn up.		22	MS MOULTON: Yes, it is.	
23	Okay. The other fatal error is I'll get back to		23	MS. MUSSER-LOPEZ: I filed it, but you know what, if	
24	that. Oh, water doesn't recycle back into the Cadiz Valley.	I_Musser-Lopez7-03	24	anybody wants a copy of the press release about the complaint,	
25	That cannot be true, and I don't believe that they have done		25	you can have it. But you don't have to put up with this, you	
	V	Y		`	V

0029 people from San Bernardino County. They have no right to come in here and act like they can hold a hearing. It's 3 not legal here. MR. MENDOZA: I'll leave it this way. First of all, the name is Ramon Alviso Mendoza, and I use Alviso 5 'cause it's an old family in California. I want you to know that all of my family has come from California, and most of them were Indians. Okay. Now, I have worked on very many environmental projects. I'm going to tell you a little bit 1.0 that I didn't plan on talking about. This is -- we have a hostile group here. I'm going 11 to -- I'm going to tell you that my background in science 12 started out with rocket science, and I helped develop 14 John Glenn's missile and tested it. I was also a chief engineer in material test laboratory, so it's not like I'm not, 1.5 you know, familiar with science. I also teach protecting 16 groundwater at Copper Mountain College. My intent for doing 17 that was because we needed to learn how to project groundwater 18 19 here in the Morongo Basin. Now, I brought a crib sheet. 20 Anybody can look at it later if you want to. 21 I have followed this project for over ten years, and I spent a lot of time with Mark Liggett who was the principal 22

designer of this project. He was a very sensitive man, and

that there was a landfall (sic) out there on the dry lake.

he was also an environmentalist. He was active, and he found

23

24

I_Musser-Lopez7-04

I Mendoza2

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0030

- 1 That made a big difference for not getting a big dump over
- 2 there. There's an extensive amount of science that was in the
- 3 original project, and I'm going to talk a little bit about
- 4 some of things I would like to see, because I do approve of
- 5 this project. There's extensive science and technology that
- 6 was developed that was eventually signed off by USGS.
- What we learned from that was that USGS was very
- 8 conservative when they were doing studies up in the Yucca
- 9 Valley area where with I live, and that, in fact, when they
- 10 tested in Pipes Canyon, they discovered that it was conservative,
- 11 and it was off by a factor of 10, which is exactly what
- 12 Mark Liggett discovered out here with most of the USGS work
- 13 that was done out in Fenner Valley.
- 14 There's 40 test wells out there. I have -- that's
- .5 more test wells than all the water districts in the basin
- 16 here. I don't know how many more have been added -- please
- 17 don't interrupt me. I just, you know, I wanted to hear the
- 18 man. That is why I interrupted you.
- 19 Workshops were conducted out here for quite a while
- 20 and I went to practically every one of them because I always
- 21 had questions. I found that they were open with their
- 22 questions and with their answers, and I even double-checked
- 23 because I'm very skeptical. Most people that know me will
- 24 tell you that I am very skeptical. It's a model project.
- 25 We're are very happy to have that here. Most of the water

I_Mendoza2-01

003		٨	0032		
1	districts in this community are already trying to make deals		1	start, Robert R. Dunn, Rob Fleck, and Dennis Shearer.	
2	with Mojave, and the people that are involved here with	I_Mendoza2-01	2	MR. AKANA: Good evening. My name is Bruce Akana,	I_Akana
3	managing this groundwater. I'm thoroughly convinced there		3	for the record. I'm a resident of Riverside County, and a	
4	will be no harm caused to the desert. Okay.		4	customer of Jurupa Community Services, one of the	
5	I, myself, work with a company right now that is	Ţ	5	participants. I'm here to voice my support for the project.	Ţ
6	maybe in competition with this some day that I can tell you		6	I think it's a necessary and prudent investment in regional	
7	that we make water out of the atmosphere. Therefore, the	I_Mendoza2-02	7	water infrastructure. I'm convinced the adopt a program	
8	atmosphere being sucked up by some of our machines, we have		8	will prove to be an important component. I'm a big fan of	
9	about the same amount of water that we've always had.		9	conservation and management of our water. That's California,	
10	MS. MOULTON: Mr. Mendoza, if you could	_	10	especially Southern California.	
11	MR. MENDOZA: I'm sorry?		11	I'm also a pipe maker. Work for Northwest Pipe in	
12	MS. MOULTON: If you could wrap up your comment.		12	Adelanto. We have the capabilities to supply all pipe for	I_Akana-01
13	MR. MENDOZA: Yes, please. Just let me take a moment.	Ţ	13	your project. Later, you will hear from some other people	
14	Now, let me get to the bad news. I notice there's some		14	that make pipe. They can do the same thing. Our product is	
15	additional piping that's been put in there. I'd like to		15	the same type that's specified or will be. The facility in	
16	know a little bit more about the design. I'd like to see		16	Adelanto are local people from San Bernardino County, like	
17	the design layout of your piping, because it is a (sic)		17	you folks. We historically employ about 250 workers. Got	
18	earthquake area. I would like to know that you've taken that		18	about 140. They can do some work, pay some bills, and the	
19	into consideration. And I would like to know where you're	I Mendoza2-03	19	people associated with it. I guess I'll be brief and tell	
20	getting that pipe, and the reason for that is we have some	I_ivieridozaz-03	20	you that the project makes sense. Okay.	
21	people up there in Canada that will try to put down Chinese		21	MR. DUNN: Robert R. Dunn, 7248 Joshua Lane, Yucca	I_Dunn2
22	metal piping into the ground, and I don't trust it. I do know		22	Valley, California. I came tonight to put my support for	Ţ
23	something about piping as well. All right. Thank you very		23	this project. I've looked into it. I've been on water	I_Dunn2-01
24	much for your time and for being here.	l	24	boards. I've been in this valley, Morongo Basin, for	
25	MR. FERONS: Mr. Bruce Akana, and then before you		25	67 years. I'm not from Orange County. I'm from right here.	

0033	3	٨	0034		
1	I never moved here. I was born and raised here. This		1	people's concern that was addressed earlier concrete pipe,	
2	project makes sense for not only the Morongo Basin, but it		2	fiberglass pipe. We've been making pipe for over a hundred	
3	makes sense for Southern California. Anytime we can bank		3	years.	
4	water for dry times, and when we have drought, it makes sense.		4	We we would produce pipe for projects like this at	
5	I'm going to submit this letter, and I'm not going to read		5	our Etiwanda facility in San Bernardino County. We buy most	
6	it. Thank you.		6	of our steel. In fact, for a project of this type, we would	
7	MR. FLECK: My name is Rob Fleck. I live in	O_FairfieldInn2	7	buy all of the steel from California steel industries in	
8	Twentynine Palms. I'm a retired Marine. I am a past		8	Fontana in San Bernardino County. And a project of this size	
9	executive director for Twentynine Palms Chamber of Commerce,		9	would help to employ, as Bruce was talking about earlier,	O_Ameron3-01
10	and a director of sales at the Marriott Fairfield Inn		10	well over a hundred union workers at our facility for several	
11	Twentynine Palms. We are also in support of the project.	Ţ	11	several months. So we look forward to the opportunity to	
12	Without going through everything in the letter, I have		12	participate in the project and offer our full support of this	
13	already sent a letter to the project manager with our		13	effort to provide much needed water to Southern California.	
14	support, but we do not feel that this is going to affect the	O_FairfieldInn2-01	14	Thank you.	
15	desert landscape at all. All it can do is improve. It's		15	MR. FERONS: Tom Beeghly. Following him, Leigh Adams	
16	just going to be a good project with the support of the		16	and Tom O'Key.	
17	community. I just think it's really important that it		17	MR. BEEGHLY: Thank you. My name is Tom Beeghly,	O_NatlChloride3
18	happens. So thank you.		18	National Chloride Company, Amboy. On our dry lake there,	
19	MR. FERONS: Dennis Shearer.		19	Bristol Dry Lake, we have to speak against this matter, at	
20	MR. SHEARER: My name is Dennis Shearer. I'm a	O_Ameron3	20	this time at least, because if you look at the EIR drawing	
21	district sales manager for Ameron International, the other		21	it's a big, thick book; it's got a lot of errors in it perhaps,	O NatlChloride3-01
22	company that Bruce was referring to. I've been with Ameron		22	but there's one thing that's very clear. Their game plan is	_
23	for about 19 years, and Ameron has been manufacturing pipe		23	to take the water, surface water, groundwater from Bristol	
24	since 1907, specifically in San Bernardino County. Our		24	Dry Lake and take it back over the valleys here and put it in	
25	Etiwanda facility since 1962. We do steel pipe address		25	a storage area all for the good of some future time, but	
				V	/

0035	5	٨	003	6	
1	that's where we live. We've been mining that. Mining claims		1	I think that down the road, you know, as we've	
2	protected under the law of 1872 producing salt brines. So we		2	watched the polar bears go away, the icebergs melt, and things	
3	would obviously object to any proposal that comes along and	O NatlChloride3-01	3	change in this world, that is these very projects that are	
4	says that you're going to take our water way from us. So we	S_Nationides 01	4	the source of this problem. Across this planet, I can tell	
5	have to be negative on that particular subject until we get		5	you that what we've seen is nothing more than a continuation	
6	the design worked out.		6	of these kinds of projects. And I can tell you what is	
7	MR. FERONS: Leigh Adams.	-	7	happening. A constant, steady change of the graph, like the	
8	MS. ADAMS: Hello. My name is Leigh Adams. I'm an	I_Adams3	8	one I saw where expectations go like this, and reality goes	
9	educator. I'm a garden designer and involved in water		9	like this (indicating). And I know you can't fix it.	
10	harvesting in Los Angeles County and a property owner in		10	You know, they found a tortoise in the Galapagos	I_O'Key-01
11	Rimrock just above Yucca Valley for 35 years. I am	Ţ	11	Islands that they thought was extinct. They're going to spend	
12	vehemently opposed to this project. I would propose that the		12	a million dollars to try and save the genetic code of this	
13	money being spent on this project could be used for education		13	long lost reptile. Everybody is very excited; teams of	
14	to teach people how to harvest rain water. I know your		14	scientists are running to the Galapagos. We found a tortoise.	
15	swimming pools and lawns need a lot of water, and I'm so	I_Adams3-01	15	We found a tortoise. Do you know how many species are going	
16	sorry. But we've decided that our environment up here would		16	to be affected by this project? Do you know how deep the	
17	benefit a lot if we took your ocean and brought it up here		17	roots of a Joshua tree goes? Do you have any idea? No.	
18	and you're just letting it waste; it's evaporating. So we		18	No one does.	
19	think that we want your water instead of you taking our water.		19	I could tell you right now there's not a scientist	
20	MR. O'KEY: Hi, my name is Tom O'Key. I live in	I_O'Key	20	alive that knows how deep the roots of a Joshua tree go. No	
21	Joshua Tree. I'm an environmentalist. I'm a desert hugger,	T	21	one has ever dug one up to find out. And you're going to sit	
22	and anything that I think is going to be wrong for the desert.		22	here and tell us how Orange County I came from Anaheim.	
23	I feel it in my gut, and I just got to tell you folks, your	I_O'Key-01	23	Anaheim has its own water district. They have probably one	
24	idea just smells bad to me. I honestly believe the community		24	of the most advanced water treatment source plants in all the	
25	that I live in here, Joshua Tree, would agree with me.		25	world. They've figured out how to take absolute sewage and	
		Y			

0037 make totally drinkable. And I'll tell you what, there's technology. There's people that want to go out there and blame, degrade this message and change our world, and I'm telling you folks, you're going to look back on your grandchildren and your great-grandchildren and you're going to regret this moment in time. That's my feeling about it, and I honestly, I have a lot of speaking points, but I'll be legal. I'll tell you what they are. One is that this Draft EIR has not had the opportunity for proper counter scientific scrutiny that 10 I O'Key-02 people should have the opportunity to really look at the 11 facts that you're using, as ideas in your plan, how that plan 12 13 really affects the outcome over the long-term. I want to 14 know if anybody from Cadiz is here. This is a ten-year-old project. That guy has been -- Mr. Blackpool has been trying 15 to do this for a long time. He's finally got buyers. 16 MS. MOULTON: Time's up. 17 MR. O'KEY: That's really what it boils down to, and 18 19 this fellow from England who's come here owns a great big 20 ranch out there that has figured out how to pull this water I O'Key-03 from the ground that belongs to the desert. This is like 2.1 desert's water. I mean, he's figured out how to make money; 22 \$300 an acre-feet, 50,000, 75,000 acre-feet a year for 50 to 23 75 years. Maybe 75,000 acre-feet coming under the ground 24 every year. Three-hundred bucks an acre-foot of water to go

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1	down to some places. Maybe this desert needs more. Thank you.	`I_O'Key-03
2	MR. FERONS: Andrew Stone is next, then Phillip Smith	
3	and Seth Shteir.	
4	MR. STONE: Evening everybody. Slight change of views.	I_Stone
5	My name is Andrew Stone. I'm the executive director of the	
6	American Groundwater Trust. We're based in New Hampshire.	
7	In my life, I've done many things. I've been a university	
8	professor in South Africa, which gave me a lot of experience	
9	in desert environment. In the states of ten years, I taught	
10	a course for the graduate school and Antioch Graduate School	
11	in groundwater protection policy.	
12	I'm very familiar with issues related to groundwater.	
13	My organization is a nonprofit, the purpose of which is to	
14	provide educational insight into science. And an additional	
15	ingredient of my background is that I'm a director of an	
16	international commission called Groundwater for Decision	
17	Makers where we, on an international basis, try and communicate $% \left(1\right) =\left(1\right) \left($	
18	the difficult tasks of telling people how science works in the	
19	subsurface. I think it was on that basis that I was asked to	
20	be a member of the review panel of this project. And I served	
21	on the committee that did, in fact, produce and review this	
22	program.	
23	I would like to pass on to you my professional	
24	judgment that this is a unique project. That it should go	I_Stone-01
25	forward. It is not going to cause grief or harm. Many of	,

0039 the problems that I have heard articulated are not related to the facts of the matter. Much -- one simple thing, much of the surface water in those dry lakes is coming from rainfall ephemeral runoff that will continue. This project is not going to take all the groundwater. It's just going to take 5 some of the groundwater. So my comment to you is that my experience in groundwater, my neutral position from a nonprofit basis, my understanding of hydrologic relationships in air environments gives me cause to support this. 10 I'm here tonight because for the last two days, I've been running a two-day program on aquifer management, a 11 conference in Ontario; one of some 26 conferences on aquifer 12 13 management that I have run over the last ten years. Almost 14 the first of which was in Phoenix in 1998 where I first heard Dr. Williams talk about this project, this Cadiz project, and 1.5 I've kept my professional eye on it over those last ten years. So I urge you to look very carefully at the science. 17 I believe it is good science. I don't believe there are any 19 problems. 20 MS. MUSSER-LOPEZ: How much did you get paid? 21 MR. STONE: I am not paid. As I said, I'm from a nonprofit. I belong to the information age. Our mission and 22 our project and our program is just to put science into a 23

format that people can understand. Thank you.

MR. SMITH: My name is Phillip Smith. I'm a member

24 25 I_Stone-01

-I SmithP

0040		
1	of the Colorado River Tribe from Parker, Arizona. One of the	
2	warriors of Ward Valley that stopped this stuff above the	
3	aquifer. That aquifer is part of this over here (indicating),	Ţ
4	and we also have the rainbow section oval at the top that has	I_SmithP-01
5	water, and you're going to take it down and drain it out.	
6	I traveled 150 miles over here for a three-minute	Ī
7	speech, and this impacts our community, City of Needles.	
8	That's where I'm from, Needles. Nobody paid for my gas or	
9	anything like that. I did it on my own. And I didn't know	
10	about this meeting until this morning. I don't know where you	
11	get public meetings at, and where the other meetings were at.	
12	I read in the Needles paper that met with the Chamber of	
13	Commerce down there offering 600 jobs for the City of Needles.	
14	Sounds like Ward Valley and impact to the City of Needles,	I_SmithP-02
15	and impact for the school district. That same thing Ward	
16	Valley; that was a promise, too. And I see what happened to	
17	Owens Valley tribes up there, the Indian tribe. They suffered	
18	out of there because of the water drawdown by the Metropolitan	
19	Water District.	
20	Metropolitan Water District, at first, was on the	
21	same project that you're on. I know you guys are working	
22	together. There's no trick to that. They own everything.	
23	They own the Colorado River in California. They own the	
24	bottom and middle of the river of California. Now, I don't	T. 0. 34 D.66
25	think you really met with the Indian tribes, and there's	I_SmithP-03

0041		\	0042	?	
1	five tribes in these areas. This is the first time I've		1	Good evening. My name is Seth Shteir. I'm with the National	O_NPCA
2	heard about talking about culture and the environmental study.		2	Parks Conservation Association. I'd like to thank Cadiz and	
3			3	the Santa Margarita Water District for the opportunity to	
4		I SmithP-03	4	present comments tonight about the Cadiz Valley Water	Ţ
5	Name who you talked to. Name one tribe that you guys talked		5	Conservation and Recovery Project. This proposal is	
6	to. I'd like to know, and what was the answer? What did		6	essentially a reiteration of an earlier project, and the	
7	they say? There's story about these areas. Even our tribe.		7	proposal is essentially to pump 50,000 acre-feet on average	
8	I'm a member of the Chemehuevi tribe, and we have	<u> </u>	8	a year of groundwater, transfer it through a conveyance	
9	a song called the Salt Song Trail, and it goes right through		9	pipeline that's 43 miles long, connects with the Colorado	
10	these areas, goes through four states. It goes right through		10	River Water Aqueduct, and send it to thirsty California cities.	
11	this area. Does it have an impact or not? These songs are	I_SmithP-04	11	The groundwater system would be overdraft much of	
12	sacred, and the songs that you know, you complete if you		12	this time, meaning that more would be pumped than would be	
13	want to be accepted to the next world. When you have something		13	recharged. And that's actually true even according to Cadiz's	
14	like this, you don't get there to the next world.		14	own recharge rate, so there's been a lot of talk about this	O NPCA-01
15	I don't care anybody anywhere where in California		15	project and references if you've been following the news, if	0 0/
16	knows everything about California; I doubt that. My dad, out		16	you've been following the press releases. There's been	
17	from the desert, born raised out in the desert. He used to		17	reference to green jobs. There's been references to loss of	
18	tell me in his young days how green the desert was, how many		18	evaporation. There's been references to water as a renewable	
19	springs there was. That's where the Chemehuevi lived, in	I_SmithP-05	19	resource, which this partly true, but not wholly true. Our	
20	these spring areas. Are they there today? Mostly all of them		20	hydrologist we've hired a hydrologist to analyze the	
21	are not there today. It's like you said, there's a drawdown.		21	hydrologic component of this project characterizes this	
22	Cattlemen came in here and they built the windmill, took the		22	project as totally unsustainable. He says that he's never	
23	water table down. Thanks for let me drive 150 miles, spend		23	seen a project this aggressive in his life. The one thing	
24	gas money to talk for three minutes.		24	that really characterizes the project are the unknowns, and	
25	MR. SHTEIR: Can everybody hear back there? Okay.		25	our hydrologist informs us that these hydrologic models are	\downarrow

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1	flawed. And in a closed basin system, there's input, out	O NPCA-01
2	flow, and storage.	
3	One problem that's with this equation can best be	Γ
4	seen in the Draft EIR by viewing the amount of	
5	evapotranspiration or the amount of evaporation that could	
6	ease claims as taking place on Bristol and Cadiz Dry Lake.	
7	Under the scenario, under a certain scenario, it's 25 and	O NPCA-02
8	50 feet, respectively, per year. Interestingly enough, though,	
9	scientific evidence from Death Valley indicates that the real	
10	rate of evaporation may be as low as .15 feet per year.	
11	So the equation is out of balance. Something is not quite	
12	right here.	
13	Our questions are essentially the same with the study $$	Γ
14	as when it began. What is the real impact of the overdraft	
15	conditions caused by this project over a 50- to a hundred-year $% \left(1\right) =\left(1\right) \left(1$	
16	period? It's unanswered. What is the true recharge rate of	
17	the hydrologic system base on sound science? Not the upper	
18	limit of the ranges, but the true range. How might the project	
19	impact federally designated wilderness nearby? How might it	O_NPCA-03
20	impact the Mojave National Preserve, and what are the impacts	
21	of the actions on plants and animal? Also unanswered.	
22	So we there's a second unanswered component here	
23	that I'd like to segue into, and what is the impact on your	
24	communities, because many of you have come up tonight to talk	
25	about our community here. What is the impact to it? So	L [O_NPCA-04
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    there are benefits and there are costs. The costs may be
     environmental costs that we may yet be unforeseen, but the
     point is because we don't have an accurate hydrologic model,
     we can't know what the impacts are. That's the bottom line.
     And what are the impacts to our communities?
             You hear a lot of talk about job growth and
     certainly these gentlemen who came here tonight, I respect
     you and certainly there will be some job creation, but with
     all due respect, the reports on your Web site say, they claim
     almost 6000 direct, indirect, and induced jobs over four years.
     Six thousand. I have two questions about this: One is, it
     says in the report that it's based on an underlying assumption.
                                                                    O_NPCA-04
13
             That underlying assumption is that labor and supplies
     all occurred in San Bernardino County, and due to the
     complexity of the nature of this project, the engineering,
     the materials needs, that seems like a real question to me.
     Secondly --
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18
         MS. MOULTON: Could you --
19
         MR. SHTEIR: No, I will not. The base currently
     employs 2500 civilians, so this rate is actually much, much
     higher. They're saying: Over four years, 6000. So 2500
21
     civilians on the base, Twentynine Palms Marine Base the
     highest employer in the area. Let me also address some
     other aspects here. We're asking for a 90-day extension to
                                                                    O NPCA-05
     comment period, and we're asking for this because we believe
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MS. BONGARTZ: Hello. My name is Helena Bongartz.

I have a brief comment, and that is having read your draft,

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0045 0046 that the Draft EIR is highly technical, scientific, and lengthy I notice that many of the areas where people are concerned, O_NPCA-05 Processing and commenting on the relevant hydrologic data will people who live out in the Mojave Desert haven't been take more time than is currently allotted. considered, people who live in the Dale Basin here haven't 3 A second issue I want to make the crowd know about been considered. That's really all I have to say. tonight is an issue of transparency. We heard from the MR. FERONS: Okay. Thank you. 5 MR. MINELLA: Hello, everyone. My name is Bob Minella. gentleman from the American Groundwater Trust about his I work for Layne Christensen Company. We've been involved implicit confidence in the hydrologic models of this project, and I'd like to mention that if there is that level of with this project for a number of years ourselves. Our home confidence, then perhaps they'd be willing to turn over the port now is in Redlands, California. We employ about 1.0 parameters for their hydrologic model, and the reason I ask O NPCA-06 250 people. My position is, I'm the regional general manager that is because we requested the parameters of the hydrologic responsible for everything Denver west. 11 11 models. We requested them multiple times, and guess what the We're a very sustainable company. We do everything 12 1.3 answer was, no. by the book. We're not your fly-by-night, as we call them, 14 So we really can't be sure, and if there is that employer or well driller when we do our work. Everything much confidence in the hydrologic model, I would think that from our equipment certified AQMD standards. Everything we 1.5 you'd be willing to turn them over, those parameters. So one do with our discharge, vehicle permits, everything that we 16 other aspect of this, I think, is that at best, this project do, we call ourselves a sustainable company. We feel like 17 17 has the potential to adversely affect the area for many, many we do things right. We feel like we've been involved in 18 19 years. So I think a 90-day extension for comment period is this project, and we are firmly behind it. O NPCA-07 20 both warranted and necessary. And I thank you for the It's a very sustainable project and something opportunity to provide comments tonight. Thank you. needed for Southern California. We have numerous people 2.1 MR. FERONS: Next up, we have Helena Bongartz and then that are depending on this project, numerous suppliers. 22 6000 is the number they have. I can contribute about a Bob Minella, and then Doug Watson. 23

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I_Bongartz4-01

O Layne4-01

I Bongartz4-01

O_Layne4

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thousand with all of our suppliers and the trail of people

that's involved in this project. It's very important.

0047 Part of Layne Christensen -- you may not know us, 1 and you may not know us very well, but we do a lot of different things. We drill for water in Afghanistan for 3 our troops, working with the World Bank to try to drill for water in African nations. One of our most notable things, 5 drilled the miners out in Chile, and we're very proud of that. And it was our crews that did it, and it's something that's never been achieved before. 9 With that, I want let you know that if this 1.0 project does go through, and we are hoping it does because it's a sustainable project, like we said. We will do or part. 11 We have done our part up to this point. We've drilled the 12

test wells. Our own hydrogeological group has looked at

that we, as those who are looking at the surface, don't realize

what occurs underneath. Once again, my name is Bob Minella

from Layne Christensen. We fully support this project as an

MR. FERONS: After Doug Watson, then we'll have

expert help to interpret that technical data.

individual and also as a company. Thank you.

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Chris Brown and Dave Fick.

to provide public water supplies.

this project on many levels.

this. There is some questions that you folks have that you need to get answered. I suggest you do get those answers. I really recommend that you base your findings on the facts. The EIR report is lengthy and in detail and it's some very technical information in there. I recommend that you get the There's a lot of things that go on with hydrogeology

O Layne5-01

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21 From the macro level, we believe this Cadiz project

project as consistent with this culture, and we believe in

MR. WATSON: Thank you. I'm Doug Watson also from

Layne Christensen Company, and about half my speech just went

located in San Bernardino County in the city of Redlands. A

little background on Layne: Layne was founded in 1882 by a

wells. From these humble beginnings, Layne was drilling and

business of developing, maintaining, protecting our aquifers

Due to the very nature of this business, Layne has

gentleman by the name of Mahlon Layne was drilling water

prosperous for the last 130 years, but focusing our core

strived over the years to develop these resources in an

environmentally friendly way with the goal protecting the

long-term safe yields of these aquifers. Layne has had a

in mind, Layne Christensen Company believes in the Cadiz

culture of working in a green, sustainable manner way before

the terms were popular as they are today. With that background

away. To repeat what Bob said, so as Bob said, we are

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is a very important piece, just one piece albeit, to ensuring

a sustainable water supply with the common good of people of

Southern California. We believe in the science of the Cadiz

project; we believe it is entirely possible to develop this

O_Layne5-01

0049 resource in a green and sustainable way. We believe in Cadiz and its people. It has been our experience over the last few years and working with Cadiz on this and other water projects 3 that they are committed to performing the necessary studies and models without shortcuts to ensure this long-term sustainability of this project. From a more narrow and selfish perspective, we believe that this project is a very important opportunity to the continued success and stability of our local operation in 1.0 Redlands. We have been negatively affected in recent years with well-publicized budget woes from our state and local 11 government. At a time when we are seeing fewer and fewer 12 13 opportunities in our traditional market, this project could 14 have a significant impact from the future of our business. We also believe the project will offer many job opportunities 1.5 for the people of Layne Christensen Company. 16 I think we will serve, just in our company, well 17 over a hundred jobs over the next few years created by this 18 19 project for Layne personnel. This is not taking into account 20 the ripple effect that it will have on our suppliers and the service providers. And I know some people will say well, the 2.1 overall scope of things, that's not very significant. But to 22 a company that's employing 200 people, it's a very significant 23

I just would like to close. I started in this

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opportunity.

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0050 business in the late '60s as a helper on a drill rig, and I see that the jobs that this is going to create are very good and real jobs for the hard-working men and women that are willing to come to work every day, roll up their sleeves and get their hands dirty. These are not white-collar jobs on Wall Street or Washington, D.C. These are local jobs for people right here in San Bernardino County. These jobs are O Layne5-01 for well builders, pump installers, service crews, helpers on the rigs; jobs for truck drivers, mechanic, welders, electricians, service technicians. 11 These are jobs for foremen, project managers, account managers, and administrative support personnel, to name a 12 few. For all these reasons, Layne Christensen Company supports the project and asks that you do as well. Thank you. 15 MR. BROWN: My name is Chris Brown. I'm talk -- I'm I BrownC3 going to be speaking on behalf of the property owners in the 16 East Mojave Preserve. The watersheds that are shown on the 17 maps, far north areas are Pinon Valley, Landers Valley. I'm fourth generation up there, and my grandfather homesteaded up there. My great-grandfather did. My grandfather lived there when he was seventy; they were dry farmers. I watched my 21 grandfather when we first hit our first well. He just cried 23 out of joy. 24 My concern for the property owners up there is BrownC3-01 some of those wells are shallow wells; some are deep. My

I_BrownC3-01

0051 most productive well is 320 feet. It doesn't fluctuate from, you know, weather patterns or short-term droughts or excessive rainfall. My concern is the watershed that feeds down into Fenner come -- the highest point elevation of that water comes from our area, and if these wells start going down, and they don't recover, recovery rate could be 100, 200 years. We're going -- my question is I want to know first off, how are our water rights affected up there, because most of the property owners own our water rights. The other thing 1.0 I'm concerned about is there needs to be letter that goes out to the property owners in these Mojave preserve. You can get 11 that from San Bernardino County. They need to know, if they 12 have wells, existing wells that this is something put together 14 to help them if their wells go dry. 15 We don't have a lot of money. Just to move a rig on site, it's not probably about 3,000, \$4,000, well over 2500 bucks a foot. We are also the best caretakers of the land 17 and drought times like now, my water feeds the deer, so also in 19 drought times the springs dry up, the animals are hungry. But, 20 basically, somebody else mentioned the property owners out in the desert, we need to be part of this, and we don't ask for a 2.1 lot, but we've been there for a long, long time, and I work for 22 the BLM out here. 23 I'm up at my ranch at least once a month working. I 24 am the guy that helps pull water wells when a well goes down.

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1	I'm the guy pulling to replace their pumps. And I've also
2	worked on well rigs, helping to drill those wells. And believe
3	me people, for those of you who are concerned about property I_BrownC3-01
4	owners, we protect the land, we protect our water. We keep
5	it clean, and we love our desert. Thank you.
6	MR. FERONS: David Fick.
7	MR. FICK: Good evening, people. My name is Dave Fick, _Fick
8	Joshua Tree resident, also vice president of MBCA. I haven't
9	had the detail of going over the extensive EIR, yet on behalf
10	of MBCA, we'll probably be getting it to you, comments, before
11	the end of whatever the extension is, the EIR extension. So \T
12	that's what we also wanted, the EIR extension, for time being I_F ick-01
13	because it hits over the holidays. And I do have to give the $oldsymbol{\perp}$
14	audience I don't make a dime on any of this. I'm not one
15	of these people making pipes or anything like that. I do have
16	a long history with this.
17	I've been a resident for 25 years. We keep seeing
18	these city slickers come over the horizon with garbage, houses,
19	solar panels, all kinds of stuff. We got to figure out how
20	they want to exploit us, and in doing that fight, I got to know
21	Mark Liggett and Mark Shaw. Cadiz was a great ally of ours
22	to defeat rail cycles, and they didn't have assurance from us
23	back then that we would be for it or against it. We just had
24	to deal with fight the way they are. So I have several
25	observations on this. Not detail oriented, but several

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1	observations.	
2	One is, on wet years, dry years, whose are they?	
3	Are they Colorado River wet years, dry years, or are they	I_Fick-02
4	Orange County wet years, dry years, or are they Cadiz Basin	
5	wet years, dry years? Another observation, and this one	<u>[</u> Г
6	probably is pretty abstract to some of you people, but	
7	Joshua Tree gets 80 percent of their moisture from the air;	
8	they don't get it from the ground. They get it from the air.	
9	It's the dew point that gives it to them. Cima Dome is one of	
10	the large Joshua Tree forests in the world. It's at that the	
11	right altitude. And it happens to be downwind of the project.	I_Fick-03
12	If you remove 50,000 acre-feet of water out of that	
13	$\ensuremath{\operatorname{\textsc{dew}}}$ point, I think the drought trees have a hard enough time	
14	right now. Their future forecast is really a rough time.	
15	They are going to go to higher altitudes where there's more	
16	moisture, and I think your project will have a bad effect on	
17	the Cima Dome Forest. I'll leave it at that.	
18	MR. FERONS: Next up is Bill Garvin and Charlie Hoherd	
19	and Brendan Hughes.	
20	MR. GARVIN: Hello. I'm Bill Garvin. I live in	I_Garvin2
21	Yucca Valley, and I was born and raised up here. I've lived	
22	here for 56 years. I've sat on the water board for Twentynine	
23	Palms Water District. We during that time, we developed	
24	we doubled the size of the water district. We put in a lot $% \left(1\right) =\left(1\right) \left(1\right) \left$	
25	of wells, so I do understand a lot of about this project and $\ensuremath{\mathbf{v}}$	I_Garvin2-01

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1	how it works. I've followed it for many years. And I'm here	•
2	to speak in favor of it. I think it is a good project. I	I_Garvin2-01
3	think it's something good for California in whole, and I hope	
4	you guys make the decision to go forward with it. Thank you.	_
5	MR. HOHERD: Good evening. My name is Charlie Hoherd.	O_RoscoeMoss3
6	I'm with the Roscoe Moss Company. We are a manufacturer of	
7	water well casings and springs. We are a small business, family	7
8	owned and operated. Currently, we have 94 employees between	
9	L.A. and San Bernardino County and Kern County. I'm here	
10	tonight to put support for the project for three quick reasons: $ \\$	
11	Number 1, this project we see will present really an	
12	opportunity for economic stimulus, mainly in job creation and	
13	economic recovery, an increase tax revenue for San Bernardino	
14	County. Other gentleman, I think, that spoke before about the	
15	importance of steel coming from California Steel Industry, which	1
16	is based in California. California Steel Industry is our	
17	largest supplier of steel for casings and water well springs.	O_RoscoeMoss3 -01
18	In fact, we have quite a history with them. We have the first	-01
19	invoice they issued back in 1984. And all the steel that we	
20	would purchase for this project would come from them, therefore,	
21	increasing tax revenue and assuring jobs for them.	
22	Secondly, this project, we understand, represents a	
23	renewable water source and source of conservation; something	
24	that we support. The project allows us to store water from	
25	wet years to use of dry years, and over the long-term, it can $\ensuremath{\mathbf{v}}$,

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1	help sustain the region's critical water supply.	,	1	who have worked to acquire property all over that area and	
2	Lastly, this is represents many of the things people		2	Old Woman Mountains and the Cadiz sorry. Clipper Mountain,	
3	talked about, the diversification of the water plan for Southern		3	the Marble Mountains, Trilobite Wilderness, so yeah, those	
4	California, San Bernardino, Orange, Riverside, L.A. Counties,	O_RoscoeMoss3 -01	4	all those property owners and the radius that you think is going	
5	mainly helping us become more self-reliant and less dependent	E	5	to be affected should have been contacted by your company and	I_Hughes-03
6	on water from the Sacramento Delta and other California		6	your agency to let them know that this was going on. So it's	
7	and Northern California and state water project. So once again,		7	really a failure of duty under CEQA to contact those people,	
8	we support this project. Thank you very much.		8	because if a power line is going through, you contact the	
9	MR. FERONS: Next up is Brendan Hughes, the Sequoia Smith		9	property owner, and you should have done the same thing.	
10	and Pat Flanagan.		10	Also, if you have ever been to some of these	T
11	MR. HUGHES: Hi. My name is Brendan Hughes. I live in		11	springs, there's Bonanza Springs, Clipper Mountain Wilderness	
12	Joshua Tree. I'd also like an extension of the comment period	I_Hughes-01	12	and each of those gulches I don't know if anybody on this	
13	by at least 90 days. Just have a few comments about the EIR.	L	13	panel or any of the field workers visited those areas, but they	
14	Just for perspective you say there some more 17 to 34 million		14	have amazing spring resources, big horn sheep go there, deer	
15	acre-feet of water in this valley area. That's two to three		15	go there. They're sacred areas to all different people, whether	
16	years of full flow of the Colorado River, so if you believe that,		16	native or nonnative. These are sacred areas, and if you haven't	
17	I guess you can believe that. But it doesn't seem to make sense	I. Haraka a 00	17	visited those, you should and look at them. And you can see,	I Hughes-04
18	to me. Also, you're going to have subsidence of the area, and	I_Hughes-02	18	from some of those springs, you can see direct connection down	i_riagnoo o i
19	I don't know. That's bad. I don't know how they plan recharging		19	to Cadiz, but you're saying it's all hard rock, and it's all	
20	something that doesn't have anywhere to go. If the water can't		20	coming from the top. I don't buy it for one minute.	
21	go anywhere, how are they going to recharge? So that destroys		21	There is also the Granite and Providence Mountain.	
22	the second half of their project.		22	There are significant spring resources that could be affected,	
23	Also, I think Chris Brown mentioned property owners in	Ī	23	so this really this should be an environmental impact	
24	the Mojave Preserve area, and there are not only there, but	I_Hughes-03	24	statement done by the Bureau of Land Management or some federal	
25	they are property owners who have conservation organizations		25	agency, because this is saying for some railroad purpose	\downarrow

0057 because they are going to have steam engines on the Arizona and California railroad. This is just crazy and it's frankly Hughes-04 3 a lie. I don't know who can call that out. This is logistics. I don't know, but they should have, so those are my comments. Thank you. 5 MR. SMITH: My name is Sequoia Smith. My partner is I SmithS Jill Gabridge (phonetic), she wishes she could be here tonight. She is a professor at U.C. Riverside teaching class tonight. Jill volunteers on October 1st transitional Joshua 1.0 Tree meeting. Inspired by a transitional U.S. National Nonprofit Corporation that is designed to help communities 11 around the country deal preemptively. The climate change, 12 13 people, and economic crisis. Joshua Tree through the leadership 14 of Stacy Doolittle, Tracy, Jill and others on steering committee for over a year now, have successfully -- Joshua Tree is now 1.5 the 96 Chapter of the U.S. -- transitional U.S. 16 We had national trainers come for training here recently, 17 and I want to tell you that this community is filled with very 18 19 intelligent, educated, dedicated people to the environment. 20 The key word in transition U.S. and key word now nationally is permaculture and the key word associated with permaculture is 2.1 sustainability. I'm wondering that a project of this size and 22 SmithS-01 how well organized and all the engineering, everything you see 23

is going on with it, why aren't we asking the guestion what

could we do for rain capture in an area that gets over about 17,

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0058 20 inches of rain, perhaps. Orange County, something like that. Here, three, four inches in the area where rainwater alone would supply the needs of community. It seems like a grand, organized commercial theft of an environment that is not sustainable. And with respect to the tribes that live in the area, and with respect to the property owners, what is SmithS-01 sustainability? It has to be looked at for multi-generational point of view, not as sustained momentary gain for a corporation or corporations. Is Orange County saying what can we do with our gray water? Is Orange County saying how can we collect enough rainwater to not even need this? I'm asking the question could we all move towards consciousness of permaculture, sustainability and not all pray to an economy, based on consumption via growth instead of the creation of quality of life for everyone and equality of life for everyone. Thank you. MR. FERONS: Pat Flanagan. MS. FLANAGAN: I'm Pat Flanagan. I'm from the Morongo 18 I_Flanagan Basin Conservation Association, and we did provide comments on the scoping, although they didn't show up in the scoping document. So I guess I have to list some of those again, only this time, I will refer to a different person than I referred to earlier, and I'm going to refer to Peter Gleick, but I will

be looking to those who have perhaps greater knowledge than I

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1	And what is long-term sustainability? The word long		1	In a remarkable grammatical sleight of hand, the Draft	
2	term means something to me. Means something to you. Okay.		2	Environmental Impact Report states that a field survey done by	
3	Dr. Peter Gleick, in the mathematical sleight of hand, the		3	their consultant concluded there is no information demonstrating	
4	project argues that water is saved by the project, because it	I_Flanagan-01	4	a physical connection of the identifying springs in the local	
5	might reduce evaporation losses of accurate losses when water		5	mountains to Cadiz groundwater. Note the wording, "there is no	
6	ponds on the surface during some wet periods. Yet, it's		6	information."	
7	precisely the water that local ecosystems rely upon for		7	They use that to discount any risk to local springs,	
8	survival.		8	but absence of evidence is not the same thing as evidence of	I Flanagan-04
9	Another piece of mathematical magic is the claim	Ţ	9	absence. An honest assessment of the science would conclude	I_Flaffagaff-04
10	that project is actually sustainable, because they assume the		10	that at best, we don't know if there is a connection, and in	
11	project life is hundred years long. Thus, they pump like mad		11	fact, the hydrologic assessment does show that if there is any	
12	for the first 50 years and take their money and leave,		12	connection, the mining of groundwater would ultimately affect	
13	acknowledging that groundwater might or might not recharge to	I_Flanagan-02	13	the springs, perhaps long after pumping begins. This means	
14	its original level over the next 50 years after pumping stops.		14	that if there is a connection, once it is ultimately noted,	
15	That's like saying that fossil fuel is renewable because		15	it would be too late to prevent the springs from drying up.	
16	nature might make them again in future.		16	Thank you.	
17	Under the lower and perhaps more accurate estimates	Ţ	17	MS. FLECK: Good evening. I'm Almus Fleck, and I'm	I_Fleck
18	of natural recharge, there is real risk of permanent damage to		18	from the Dale Basin, as it was mentioned. If you think that	T
19	the groundwater basin through subsidence of land or contamination		19	the people here, other than those connected with this kind of	
20	of the aquifer with salt, or it may never really refill. And	I_Flanagan-03	20	industry or business, are not enthusiastically embracing your	
21	the Draft Environmental Impact Report said nothing at all about		21	project, I think it is because we begin to see a pattern here	I Fleck-01
22	how the real risk of climate change might alter the desert		22	whenever there are monumental projects proposed by big	I_FIECK-UT
23	hydrology.		23	corporate outfits. And I think you go about it excluding the	
24	Finally, there is the natural springs in the nearby	I I	24	people. You see your own profits in there and present it in	
25	valley that may be connected to the groundwater basin in Cadiz.	I_Flanagan-04	25	a certain way very inadequately when you just think about the	
	•	\downarrow			V

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1	documents being, I believe, 11,000 pages.	I_Fleck-01	1	instead of first trying to preserve them. Thank you.	1_Fleck-04
2	Many of us tonight have heard about it only tonight,	- T	2	MR. FERONS: Jean McLaughlin and Emily Green.	
3	and the deadline is in 12 days. So I, too, want to put my	I_Fleck-02	3	MS. MC LAUGHLIN: Hi. A lot has been mentioned.	I_McLaughlin2
4	request in for an extension of this. It's absolutely necessary.	1	4	I'm not for this project at all. For many years, and a lot	Ţ
5	The pattern that I'm referring to is that over and over again,	Ţ	5	has been mentioned about the springs already, but no one has	
6	we see that industry takes resources that belong to all of us		6	said anything about how many wilderness areas abuts this, and	
7	for profit. And not for preservation for generations to come.		7	I believe that the water drawdown will affect these springs	
8	If you have the interest of the people in mind, you would have		8	and the animals and the whole ecosystem dependent upon	
9	approached this with a very different process. And it saddens	I Fleck-03	9	them. And water can upwell through faulting, and there is a	
10	me to see that we are totally ignorant here about what it means		10	lot of faulting in the area.	
11	for individual communities here in the desert. It appears that		11	And anybody looking at a map can see that, and it has	I_McLaughlin2-01
12	there is always an intent to push projects like this through,		12	been mapped out, but we know that besides the Mojave National	
13	fast-track them so the people don't have enough time to think		13	Preserve, there is Cadiz Dune Wilderness, the Trilobite over	
14	about it.		14	there, the Old Woman Mountains Wilderness that's directly	
15	The other pattern is that there are so many unknowns,	Ţ	15	southeast and Clipper Mountain Wilderness area, and they're	
16	particularly scientific information, that are not utilized and		16	most of them are just full of springs. You say you're going	
17	cannot you cannot assure us that the water will not will		17	to monitor those springs. For how long? And are you going	
18	replenish at the same rate you are taking it out. You cannot		18	to go into the wilderness area now and monitor them?	
19	at this point. You cannot guarantee us that the wet and dry		19	And, also, there's the issue of more time for comments.	I_McLaughlin2-02
20	days will continue in a specific patterns. We don't know yet	I_Fleck-04	20	Yes, I agree. And some wildlife species and specialists that	T
21	what will come in terms of climate change and changes there.		21	need these ephemeral springs and ponds, and this evaporation	
22	You cannot assure that the project will not ultimately end up		22	rate really puzzles me how you can get so many thousands of	
23	in a dust hole. And the word sustainability has been used and		23	acre-feet a year of evaporation. There is evaporation in water	I_McLaughlin2-03
24	questioned, and I think sometimes there is underneath the idea		24	pools, but otherwise, most of soil is quite porous and it goes	
25	that we need to sustain our very extravagant use of our resources		25	down and you're actually pumping the water out from below, and	\downarrow
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006	3		006	1	т
1	yes, what about these people whose wells are probably going to	\ I_McLaughlin2-03	1	have been studying this project for a number of years.	
2	run low? Yes, and also, I think there's going to be more	[2	Unlike people who claim to have studied it, I have come to	I Green2-01
3	pollutant, and the idea of the jobs global idea, yes, people		3	believe that it is a sham. That it is a dangerous project,	
4	do need jobs, but that is short-sighted. It's not sustainable		4	and that it's in nobody's interest, and I would include the	
5	in the long run.		5	people from Santa Margarita Water District.	
6	And, also, the idea of pumping the Colorado River back		6	I am not anti-Orange County. I learned to swim in	
7	into the aquifer for storage, the Colorado River is kind of		7	Balboa Bay. I love Orange County. I love California. The	
8	polluted and you'll be polluting the groundwater. And I spoke		8	reason I'm coming to comment here, I commented last week in	Ţ
9	with a geologist who's been in the area for many, many years	I McLaughlin2-04	9	Santa Margarita, is that I heard a lot of comments last time	
10	and studies rocks, and you know, soils, and he said this is	_	10	around and a few this time about how to project reliability	
11	not sustainable, and that it is going to affect it's going		11	to the Southern California water profile. I've also heard that	
12	to affect the aquifer in a negative way. And it will most		12	if there is any problem with overdrafting, the monitors will	
13	likely draw down the springs. You're not going to notice it		13	move in and completely shut down pumping. Reliability monitor	
14	right away, but eventually, it will have an effect.		14	shutting down pumping. The reliability monitoring shutting	
15	And so, no one said anything about the faults. $\ensuremath{\text{I}}$		15	there's nothing that makes this water more reliable and less	I Green2-02
16	haven't read the entire EIR, so in the end, I think this is		16	subject to environmental pressures than water from the Colorado	
17	really a bad idea and I'm against it. There are more reasons, $% \left(1\right) =\left(1\right) \left(1\right$		17	River or the Sacramento San Joaquin Delta.	
18	but my time is up. Thank you.		18	The only conceivable thing that would make it more	
19	MR. FERONS: Emily Green.		19	reliable is that unlike water from those other two sources,	
20	MS. GREEN: My name is Emily Green. I this is very	I_Green2	20	this project proposed extracting it without the kind of	
21	unusual. I am normally a journalist. I publish a water blog		21	supervision that should be called for. The monitoring by	
22	called "Chance of Rain." I live the unenviable life of		22	private coalition answerable to the project originators is	
23	studying California's water supply, and, you know, there's		23	wholly unacceptable.	
24	small number of us who do it, and we can ruin dinner parties.		24	This project should be criticized, as it was a decade	T I Green2-03
25	I am here because like some of the people in this room, I		25	ago, by the Federal Government and EIS process slipping that	I_Gleenz-03
					Ψ

0065		^	0066		I Everts-02
1	scrutiny by virtue of saying we are running pipe on railway	I Green2-03	1	this project. That makes no sense at all.	I_Events-02
2	land doesn't answer any of the impacts on the very sensitive	I_Greenz-00	2	I've been doing this for many years. I was the chair	
3	federal land surrounding it. Whoever the gentleman is who flew	<u> </u> T	3	of a groundwater agency in a little town of Ojai. It was a	
4	in from New Hampshire, we have very good groundwater modelers		4	microcosm and we had an aquifer. There was no groundwater	
5	in our local California USGS office. They develop the model		5	regulation in the state of California. We used to say Texas	
6	that was employed by the DEIR, but they are shut out of		6	and California, but now Texas has some. We don't. We were one	
7	reviewing the figures that have been given to us by deliberate		7	of seven agencies by legislature that actually imposed metering	
8	avoidance of the federal environmental impact statement. That's		8	of our agriculture and our groundwater, so we could actually	
9	egregious, and everyone should, in the name of good science and	I_Green2-04	9	measure it. Once it's gone, it's too late. Once we reach	
10	sound water management, insist on the best hydrological advice		10	once you reach that point where it's gone, aquifers will sink	
11	being given and not being shut out of the room.		11	very quickly. And with all due respect to my friend from	
12	We need the USGS to look at this and comment and the		12	New Hampshire, where I ran conservation programs for many years,	
13	comment on monitoring, particularly since they plan to pump		13	we used to say an expert in New England is someone that is a long	à
14	the carbon aquifer, meaning the decoded depression is not		14	ways from home.	
15	necessarily restricted to Cadiz land, but could occur hundreds		15	This is your home, all of you. This is your water.	
16	of miles from the project site. Thank you.	<u> </u>	16	I work in Santa Monica where we're working on becoming independen	nt
17	MR. FERONS: Conner Everts.		17	of imported water in the next three years. I've worked in	
18	MR. EVERTS: Thank you very much. My name is Conner Everts.	I_Everts	18	Los Angeles in conservation programs for since 1978, we've	
19	Could you lift the EIR up? Yeah. It's hefty. At least you	I_Everts-01	19	increased the population million water and flat. Now, it's down	
20	should extend the comment period. But I was against this project	<u> </u>	20	30 percent. So we don't want your water. We don't need it. It	
21	ten years ago, and there's a reason why that project didn't get		21	needs to stay here in the environment.	
22	built over that period of time, and $\ensuremath{\text{I'm}}$ against this project now.		22	The desert environment is crucial and fragile, and a	
23	I think we could resubmit the same comments we did now and they	I_Everts-02	23	friend of mine, Owen Hughes, just passed away. I went to his	
24	are still pertinent. What make even less sense now is that a		24	memorial in White Water. He was a real champion on this issue,	
25	water agency in southern Orange County is the lead agency for		25	and for that reason, I was feeling sick. I've been drinking much	n

006	7	١	0068	3	A
1	of your water, but this is all I'm going to take to listen to	I Everts-03	1	capture we get 15 inches actually in L.A., about 12 of mean) Frants OF
2	this discussion, but this is definitely a Federal EIS project,		2	average rainfall, that's a lot of capture of reused water.	I_Everts-05
3	not an EIR. You should really do what we had to do when we	<u> </u>	3	We're using gray water, which is legal now.	
4	installed meters and people broke windows on my house and my car,		4	There is a lot of opportunities, but the biggest one	
5	because they were upset with what might happen, and their fear		5	for the pipe manufacturers is we have 7200 miles of pipe in	
6	what might happen to their groundwater. We pulled back from the		6	Los Angeles. We've had major breaks. We lost a fire truck in	
7	whole project. We did public process. We worked with them, and		7	a sinkhole. We have leaks in neighborhoods, and they happen all	
8	we weren't extracting any water. We were just trying to measure		8	the time. And until we clean up our infrastructure, it makes no	
9	it. After a while, they understood the value of the project.		9	sense to take water from one place and bring it to another when	
10	I don't see how anyone can even pick up the EIR can fully	I_Everts-04	10	we continue to waste it. We can look to Spain, Israel, and	
11	understand all the issues here, and you should pull back and go		11	Australia for places where they use water far more efficiently	
12	through the process, respond to the initial scoping project and		12	per capita. And I know you all would like it if we put desal	
13	comments that work, and take time and listen to the community.		13	plants on the coast, but that's another folly.	
14	But the first thing you do is cut everybody's time when they want		14	And as Dr. Peter Gleick said in an article in Forbes,	
15	to get up and speak when they come out on a weeknight. I think		15	where he called it "the zombie water project." Something that	
16	that's a lack of public outreach, and you should try again.		16	just won't die. The project they work out on the coastline	
17	Climate change and energy costs are very real issues.	-	17	impact on the fishery are a zombie water projects. Thank you	
18	Energy cost is one of the things that brought it down when		18	all very much.	
19	they were trying to get a public subsidy from the Metropolitan		19	MR. FERONS: Tom Askew, Stacy Doolittle, and Debbie Cook.	
20	Water District the first time. I drive a diesel car. I		20	MR. ASKEW: Hello. I'm from Essex, California. My	I_Askew
21	didn't notice my fuel cost going down. They are going up.	I_Everts-05	21	family owns 10,000 acres back in Old Woman Mountains about	
22	This project doesn't make sense. The per capita water usage		22	15 miles from you guys. I'm here to speak for two different	
23	in Orange County needs to go way down, and there is a long		23	entities. The first one is this City of Essex, all seven of	T
24	way to go. We still dump treated waste water in the ocean in		24	us. We don't like it. We think you're trying to poison	I_Askew-01
25	Southern California, and until we turn that around, until we	/	25	everybody by stealing this water that has such high levels of	\downarrow

0069		٨	0070		^
1	chromium-6 that Erin Brockovich even wants to get involved in	I_Askew-01	1	The uptake is tremendous by these plants. So I think	
2	this whole thing. We all know who she is. Second of all,		2	that, you know, these hypotheses, these capturing hypotheses	
3	I'm a site manager. I work for the Native American Land	Ţ	3	and theories are going to impact our ecosystem, and I don't	
4	Conservancy. I spend four days a week living out the back of		4	think it's being really looked at. I think ecosystem we're	
5	my truck in the Old Woman Mountains. All our animals, I'm	I_Askew-02	5	talking about could be desert wildflowers. Could be Joshua	
6	here to speak for them. You're going to kill them. Are you		6	Trees. It could even be migratory birds, and you know what	
7	going to say I'm sorry? It's too late. They're dead. What		7	that's going to impact, tourism. And tourism thank you to	D
8	are you going to do about it? Done.		8	Seth for the figures on this, but tourism in 2009 was \$10 million.	I_Doolittle-02
9	MS. DOOLITTLE: I'm Stacy Doolittle. Excuse my voice.	I_Doolittle	9	MR. SHTEIR: A gateway community to the Mojave Preserve.	
10	I want to thank you for coming actually making the drive here.		10	MS. DOOLITTLE: And so, to me, those theories and plans	
11	I do also request an extension of the public comment period.		11	are akin to pipe dreams, and I think it's a pipe dream to point	
12	I also request that there be increased community comment forms		12	to these 6,000 jobs being created, because these are not	
13	closer to other communities, so people and given enough	I_Doolittle-01	13	sustainable jobs. They are jobs which could contribute to the	
14	time for people to be aware of them so they don't have to drive		14	death by drainage of this area and of our ecosystems by	
15	so far.		15	extension for the communities, because if there is no ecosystem,	
16	This feels to me like one of those things that		16	there is no the community. Thank you.	1
17	60 years from now, some parents will be talking to their kids		17	MR. FERONS: Debbie Cook and Karen Tracy.	I_Cook
18	and they'll be asking about it, and the parents will explain		18	MS. COOK: I hadn't planned to speak tonight, but I was	Ţ
19	why this was done, and kid will say, well, that's dumb. It		19	so moved by so many speakers that I just figured I had to get	
20	feels like this is dumb. I, last year, attended a USGS		20	up here and say this is the most outrageous, audacious,	I_Cook-01
21	presentation here in this very room regarding sewage, and the		21	irrational project I've ever come across in my 25 years of	
22	issue was sewage poisoning our groundwater, our aquifer water		22	environmental activism in Orange County. I drove out here from	
23	with nitrates. The USGS scientists said that the desert is very	Ţ	23	Huntington Beach, because Santa Margarita Water District is	
24	efficient at using groundwater. And there is not a whole lot of	I_Doolittle-02	24	one of those districts that is also going to try to get their	
25	evaporated water.		25	proposed desalination plant that we don't need the water. So	

0071 I'm also looking around, because I'm a former elected official And I'm looking around wondering where are the elected officials that represent you people? How come they they're 3 not here? And if they are not here, you need to call them on phone tomorrow and say we want a public hearing in our community, so we can tell you what's going on. Of course, you run the risk that Cadiz has already gotten them and bought them off, because there's a lot of buying off is going with Cadiz. And I want to tell you why 1.0 Santa Margarita Water District is the lead agency. It makes no sense. This Orange County city becoming the lead agency 11 for a project way out here. There is one reason that they are 12 13 lead agency, because the general manager of Santa Margarita 14 Water District is personal friends with the president of Cadiz, Scott Slater. That is why they are the lead agency. And I 1.5 want to also make it clear, it's very unusual for a public 16 agency to not hire the EIR company, but here, they didn't. 17 Cadiz hired the company that's preparing the EIR. 18 19 And Santa Margarita, they're hiring somebody to kind of oversee 20 it and provide peer review and that sort of thing. It's very unusual. In eight years, my eight years of being on Huntington 2.1 Beach City Council, we never did it that way. We hired the 22

EIR company. We were responsible for what that EIR said. It

And I also want to defend Orange County, because I

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just makes no sense.

I Cook-02

I Cook-03

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0072 have not talked to a single member of any water agency in Orange County, other than this one that thinks this project makes sense. Not a single one of them has said this makes any I Cook-03 sense, so why are we going forward? Because somebody's going to make a ton of money; somebody called Cadiz, Inc. It is going to make money selling water. Now, this project could only make sense -- because it is so irrational. It can only make sense if they were actually recharging first and then taking water out second, but they want to pull water out for 50 years before they put a drop in. They're never going to put a drop in. There's no extra water on the Colorado River to put in anything. You just don't -- you just don't do it this way. Really, I feel I Cook-04 like this story about the naked king, you know. Where's the little boy that's going to say there's no clothes on this thing? There are no clothes on this. This is a complete scam, and I'm going to do everything I can to make sure that 17 everyone that I know in Orange County knows what a scam is and doesn't buy into this. I_Tracy3 MS. TRACY: My name is Karen Tracy. I'm here unofficially representing Joshua Basin Water District. They 21 are not here tonight, because they are in session. There was a member of our board here earlier, and he left. He didn't get to stay for the juicy part. I volunteer in the citizen's

advisory committee, and I have for many years, and as such,

out here. We're a pretty good size water district. Whether

of surface connections and we pump 1,500 acre-feet per year,

you measure us by acre-feet per year or square miles or number

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0073 0074 I'm familiar with all of our pumping recharge and pipeline so that gives you perspective on how big this project is and projects. In that capacity, I have dealt closely with our what they are proposing to do. It's absurd. Thank you. USGS representatives which are also the regional MR. FERONS: So we're starting to run through the 3 representatives to Cadiz. Their names are Peter Martin and speakers again, so is there anybody who would like to speak David Vicky, and they have not had an opportunity to weigh in now who hasn't had a chance, yet? I saw a hand in the back. 5 this project. They've not been asked to look at it, and MS. MOULTON: State your name. they are the experts. USGS modeling, as Seth pointed out, MS. FAYLAN: My name is Kathy Faylan (phonetic). I is very suspect. live in Joshua Tree, and I'm opposed to the project. First I Tracy3-01 The EIR review, which I read, uses very vague of all, I would like to ask for an extension of the comment 1.0 terms about how that modeling would apply. I would like to period. It's a lot of information noted. I don't want to see my representatives from United States Geological Survey, repeat what a lot of other people have said, but there are 11 Peter Martin and David Vicky, take a look at that project two points that were alluded to that I want to amplify a 12 12 1.3 and weigh in officially. I would also like to -- I know it's little bit. The first one is that I think that we are 14 been said already -- extend the comment period, and have setting a really dangerous precedent as a community, as a these meetings in the areas that are more closely affected. state, as a country, by allowing private interest to make 1.5 I also believe that there is no such thing as a money off something that we all need to survive like water. 16 closed system. This is the Earth we're talking about, and So just on principle, I think it's important that we oppose 17 17 all of these systems are connected. Therefore, this will 18 this. 18 19 affect the federal lands adjacent, and this should be an EIS, 19 A second point that I want to make is that there 20 not an EIR. To put some perspective on what this project is have been a number of people talking about what California I Tracv3-02 wanting to do, they want to pump 50,000 acre-feet per year. needs. And I firmly believe that what California needs is 2.1 21 Joshua Basin Water District is not the smallest water district the desert. 22

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MR. FERONS: Is there any other new speaker? Next

MR. SHTEIR: Well, I won't take up too much time,

one would be Seth Shteir again.

I Tracy3-02

I Faylan

I_Faylan-01

I Faylan-02

O NPCA

O NPCA-08

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1	because I had a lot of time to begin with, but I want to say		1	I'd also like to address the jobs issue. I'd like	T
2	that we at NPCA feel there's more unknown than known for this		2	to acknowledge that jobs in this economy are very important,	
3	project. And I want to comment on the few other really good		3	but I'd also like to give a little plug to recreational	
4	comments that were made. And I think that 50,000 acre-feet		4	tourism as being important. People come to our area for the	
5	per year average that would be pumped here, are there any	O NPCA-08	5	outstanding night skies. They come to observe wildlife that	
6	fishermen who fish Big Pine Creek, Bishop Creek, Eastern	0_M 0/100	6	find food, water, and shelter around our springs and peaks in	
7	Sierra? So 50,000 acre-feet is the amount of water coming		7	Mojave Preserve and wilderness area, and these people come to	
8	out of Bishop Creek and Big Pine Creek on an annual basis.		8	enjoy the Mojave Desert. They camp, they hike, they enjoy	O_NPCA-10
9	That's the amount of water that they're saying is sustainable		9	the bedrock formations, and so much so that Stacy mentioned	
10	here. So, you know, that's the first thing.		10	the Michigan State University money generation model study.	
11	The second thing I'd like to do is applaud and echo	Ţ	11	In 2009, about the 500,000 visits to the Mojave	
12	the concerns about climate change. There's work by a		12	preserve contributed \$10 million to local gateway economy.	
13	scientist named Noah Diffenbaugh, Purdue University scientist,		13	And they supported over a hundred jobs. So that's not just	
14	and he's talked about this area is classified as a climate hot		14	after four years. That's something that's lasting. The parks	
15	spot due not only to higher temperatures, but to increasing		15	are going to be there a long time and so will our wilderness	
16	variability and precipitation, and we are already beginning		16	area and we need tourism well.	
17	to see that increase in variability precipitation. That's		17	So this project we don't know what the impacts are,	Ţ
18	not something in the future.	O_NPCA-09	18	and we don't know what the impacts are because we don't have	
19	For example, the Mojave had its driest year in		19	a sound hydrologic model. And we did, as I mentioned earlier,	
20	recorded history in 2003 and it had its wettest year in 2005.		20	we asked for the parameters of that model, and I guess $\operatorname{Dan},$	
21	So when you take a project like this that projects 50 years		21	and Tom, and I'm asking you today, will you turn over those	O_NPCA-11
22	because we're going to pump this much water on an average		22	parameters to me, or are you going to keep them?	
23	annual regular basis, how can that be sustainable and how		23	MR. FERONS: Have you met with the hydrologist like	
24	is that predictable? So ultimately, the recharge for the		24	they offered?	
25	aquifer is from rainfall.		25	MR. SHTEIR: Well, I don't believe I've ever received	
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0077		\wedge
1	that correspondence, so	
2	MR. FERONS: We did.	
3	$\ensuremath{MR}.$ SHTEIR: The correspondence that I received from	
4	you is that you wouldn't turn those over.	
5	MR. FERONS: You received an invitation to meet with ${\mbox{\scriptsize}}$	
6	have your experts meet with our experts.	
7	MR. SHTEIR: I never received that.	
8	MR. FERONS: It was in an e-mail.	
9	MR. SHTEIR: I never received it. The bottom line is	
10	you didn't turn over those figures to us. You denied us	
11	access to those figures.	
12	MR. FERONS: I'm not going to debate it here.	O_NPCA-11
13	MR. SHTEIR: Why not? Why don't you turn them over?	
14	MR. FERONS: I'll explain. What we offered to do was	
15	allow their experts to sit down with our experts and the	
16	model and to go through, so that they can understand and	
17	explain. If you've ever done any kind of modeling,	
18	assumptions, all those things, you got to sit down and	
19	really understand the source. So that was the first step	
20	we offered to allow	
21	$\ensuremath{MR}.$ SHTEIR: We never received that correspondence.	
22	What we were told was that those they would not turn over	
23	the parameters to the hydrologic model, the mod flow file	
24	is what they're called. We were denied access to those	
25	and you still won't turn them over.	\downarrow

0078		^
1	MS. MUSSER-LOPEZ: If they still don't turn them over,	
2	take them to a judge, if they are honest. We don't have	
3	honest judges. If we don't have that, this project should	
4	die anyway, just based on the environmentalists.	
5	MR. FERONS: Call me tomorrow, Seth. We'll set it up.	
6	I have seen the e-mail. I apologize if you didn't get it.	
7	They want your what I have as your e-mail address. I	
8	will make sure we arrange to get the expert in and get	
9	this information.	O_NPCA-11
10	MR. SHTEIR: I'm asking are you willing to turn them	
11	over?	
12	MR. FERONS: I don't have the model.	
13	MR. SHTEIR: Are you willing to facilitate?	
14	MR. FERONS: I'm willing to facilitate getting your	
15	expert in with our expert.	
16	MR. FERONS: Okay. Is that Chris Brown?	1
17	MS. MUSSER-LOPEZ: No, he hasn't even had a chance to	
18	speak.	
19	MR. FERONS: Okay. Sorry. Go ahead.	
20	MR. BOWERS: I'm another one that wasn't going to	
21	speak, but I feel compelled. My name is Ron Bowers. I'm	I_Bowers
22	retired in 2008 from 45 years in construction in city. I	
23	know a thing about needing jobs, but what I want to say to	
24	the men that are here from Layne Christensen are you	
25	still here?	

had a belief in using our water resources here in

San Bernardino County for the development and improvement

of San Bernardino County. And if he knew -- we already went

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Public Meeting Transcript - Joshua Tree, CA - February 1, 2012 0079 0080 MS. DOOLITTLE: The bus just left. through this ten years ago. My sister and I both fought 1 2 MR. BOWERS: And also, the gentleman who spoke on this project, and some of you here did, too. And this is behalf of his company to provide the pipe. supposed to be a dead project. 3 Now, we're fighting it again. And guess what, who's MR. AKANA: I'm still here. 5 MR. BOWERS: You're still here. Provide 600 jobs, not here, Mitzelfelt, the supervisor. Why is Mr. Supervisor provide 6,000 jobs versus the long-term health and allowing Orange County to come in here -- orange -- that, availability of these wildlands for our children and and not just that, but because there is a election going on. grandchildren, which is more important? By coming up here Okay. If the planning commission was hearing this EIR, which I Bowers-01 and supporting a project like this, which has been pointed they should be, like every other EIR for projects in out is a scam, if you listen to people, you will find out, 1.0 San Bernardino County, and the focus and the politics would you do a disservice to your grandchildren, children, and be back on Mitzelfelt, right? On the planning commission, on 11 to your family. the government that he runs here. To me, this is negligence 12 13 MR. FERONS: Ms. Lopez. on our county supervisor's part. He should not be allowing I Musser-Lopez7 14 MS. MUSSER-LOPEZ: Okay. My name is Ruth Musser-Lopez, an outside jurisdiction to come in here and rule over us. and I grew up here. My family has been here since the 1920s. This violates our constitutional rights, and we haven't 1.5 My father was on the San Bernardino County Fire Bureau. voted to him. 16 He was the president for many years for the fire bureau. I For this reason, this is the reason why I did not 17 remember coming across the desert for vacations and looking ask at the beginning for an extension. Why I didn't ask at 18 19 across the desert when I was a child, and he'd say there is the beginning for a board meeting or I did not ask to have 20 water here and some day this land will be farmed and meetings located where the impact of the public is going irrigated by the water under this lands. impacted exist which are the communities east of Kelbaker Road. 2.1 I'm here partly because of my father, because he Goffs, Cady, Needles, Havasu Landing, the tribal land, the 22

north Indian tribe --

MR. SMITH: Water right access from the tribe.

MS. MUSSER-LOPEZ: -- there should be many of them;

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I Musser-Lopez7

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- not just the one that takes -- 150 miles away, three hours'
- 2 drive. No public transportation, no taxi from, and this
- 3 violates the Brown Act. The Brown Act provides that a public
- 4 hearing be held in a nondiscriminatory facility. And this
- is discriminatory, because it excludes people on the basis
- 6 of lots of things, but one of the things that they're not
- supposed to have is to make a big payment or purchase and
- 8 guess what, you have to buy gas to get here and it's a lot
- 9 of time.
- 10 I encourage everybody who's here -- which, I'm going
- 11 to do this: I'm going to take the Santa Margarita Water
- 12 District to small claims court and demand they have all my
- 13 transportation reimbursed, all of my cost, also for my pain
- 14 and suffering of having to go through this again, emotional
- 15 hardship to review this project again after we went through
- 16 this, and you are up here acting -- parading around like --
- 17 these people are up here parading around like they have the
- 18 right to be in charge of us and to certify the EIR. This
- 19 EIR is a project in San Bernardino County. They don't have
- 20 any right to certify it.
- 21 Therefore, this meeting is illegal, and so we should
- 22 be having this scoping, the whole project should be starting
- 23 over again. If the Cadiz Corporation wants the company --
- 24 this project, they should be going through the right channels,
- 25 through the San Bernardino County planning commission and

I_Musser-Lopez7 -05

0082

I_Musser-Lopez7

That is all you are, is a customer. You are not jurisdictionally in charge of something in San Bernardino County. They're just a customer. This meeting is a farce, a ruse. They want us to think that by us coming here and going through this routine, that we are going through the process of an EIR, so that Mitzelfelt can then go to the supervisors, the other four supervisors in our county and tell them, "Oh, well, we've had an EIR." 16 Well, if we don't know all these things I'm telling, which then, you know, and if we don't take it to a court of law, probably because they'll keep pushing it on and on until somebody does take it to court. That's what I fear, but if we don't, and then we have the problems with judges here; it is a big problem. We got one judge that reviews secret documents in this county. He is in Joshua Tree, his office, and his court's in Joshua Tree and he's a retired judge and

I was going to try to get an injunction civilly

meets on Fridays.

having EIR reviewed by the planning commission. They should be establishing -- you know, what these people are being paid,

And so you expect to get an unbiased report? No,

this company here, ESA, is contracted by them, this

we don't expect to get an unbiased report because Santa

Margarita Water District is a customer of Cadiz. A customer.

Santa Margarita Water Corporation -- District.

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0083		
1	for this hearing tonight. But because of the location of	•
2	this judge, so far, the time and the requirements, it was just	
3	impossible for me to. I went to the D.A. and I asked for a	
4	criminal restraints because of the misdemeanor clause in the	I_Musser-Lopez7
5	Brown Act. It is a misdemeanor to be holding a hearing when	-05
6	you're out of your jurisdiction, so I have just couple other	
7	things to say. Couple other things to say.	
8	Nobody said anything about Artesian well. I want to	Γ
9	explain what the Artesian wells are a little bit. Water	
10	pressure, other pressures pushes the water up into the springs.	
11	A lot of people don't understand that's how springs before can	
12	be affected by the it can be affected by down droughts.	
13	Also, it's just the pressure in the whole system, kind of	
14	like your sprinkler system where fill your water up with a	I_Musser-Lopez7 -06
15	big tank. Up above pressure rises, it's got a system.	
16	Usually, it will push above your water tank, which is a lot	
17	of ours because the weight of water pushes up even	
18	farther than where the water starts.	
19	And I talked to these guys, the hydrologists. I	
20	didn't talk to them very long, because his breath was so bad	
21	at the last meeting that I had to stand way far back from $\mathop{\mathrm{him}}\nolimits.$	
22	Just felt like all the evil coming out of the hydrologist.	
23	MR. FERONS: Two more speakers.	
24	MS. MUSSER-LOPEZ: Okay. And I insist that there be more	I_Musser-Lopez7

hearing if Cadiz want to proceed properly, but there was

-07

all know about Colorado River water. The way it works is -and I know this, because I'm a council member for the City of Needles. I'm also an archeologist to the BLM. I'm not going to get into the problems with the agricultural section of this, which the prehistory is really lacking. It's just that they don't know much about the prehistory saying that -implying that the tribes were only here 500 years ago -moved off in this desert area. But I'd like to just say when I was on the council, 10 we had -- we were able to get water credits by -- for Needles 11 from the Colorado River by mining the aqueducts down in Imperial Valley. By saving water in the canal, we are putting water in canal. Therefore, we got credit up creeks, upstream, up the river. This is what Cadiz could do: They could inject water into the canal. They could get credit for that water, and then they could take the credits and sell them. When they sell those credits, they could actually exchange them for credits up creek, upstream, like at Lake Mead. Therefore, that water could get sold to Las Vegas. 21 The water they inject here could be exchanged for water in Lake Mead to Las Vegas, so what I'm telling you, 22 that amount of water, take it to Las Vegas, divert it off at the Colorado River could result in not just a down draft of our aquifer here in the desert, but down draft of water on

another thing, little tidbit of information that you should

0084

I_Musser-Lopez7

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0085	5	٨	008	6
1	the river, and that is going to affect tourism; it will	I Musser-Lopez7	1	windswept fire, heavy fuel, many property owners lost their
2	affect all of us, agricultural and everything. It requires	-08	2	cabins and things like that. After the what the National
3	an EIS.		3	Park Service didn't realize is they never had the water capacity
4	MR. O'KEY: A couple other things I want to touch base	I_O'Key1	4	to put out such a fire. I got contact with the National Park
5	on. One of my good friends passed away a couple years ago,		5	Service about three days after the fire was burning. It was
6	and he was one of the guys who knew the most about private		6	starting approaching Morongo Valley and all the homes up
7	water wells, and he told me the fastest way to fix a well that		7	Pinon mountain range. There was one gentleman who had some
8	wasn't producing, or a new well that you thought wasn't giving		8	belt wells; his property was on bedrock. This was my friend
9	you enough water was to pump the hell out of it, especially		9	that I was talking about.
10	right away. There is a reason for that. What happens is		10	I was let in and we actually started pumping his wells,
11	when you drill a well, there is a certain amount of mud that		11	and that is the exactly what stopped the fire, because we had
12	goes along with your drilling and stuff like that. Well, the		12	enough water to fill those helicopters with the reservoirs
13	more productive a well is, the more that it pumps, the faster		13	flowing from his well and the amount of water that comes into
14	the water feeds into it.		14	his wells. We were filling 5000 gallons about every, I would
15	Those will be pulling on the aquifer; the feeders	I_O'Key1-04	15	say, two or three minutes. And this went on for about a 24-hour
16	that come from the higher elevation is like a spider web under		16	period, and that stop the firing in the New York Mountain Range. $$
17	the ground. Some of them are like small streams; some are		17	Now, property owners that want to improve on their
18	large rivers, depending on depth. You're going up over bedrock		18	land or put a structure up are required by the National Park
19	at the run down into the alluvial sands. They travel multiple		19	Service in conjunction with San Bernardino County that you must
20	directions. When the water level starts dropping, the water		20	have eight thousand gallons capacity water tanks on your
21	flows are going to speed up. Therefore, dropping the water		21	property before you can improve. Depending on the type of well
22	tables at the higher elevations first and bringing those down		22	and how much money our neighbors have, that's a pretty big
23	and that is one of our big concerns. Now, there is something		23	investment that they have to do.
24	else that happened in 2005.		24	Now, imagine a well that only puts out five gallons
25	These Mojave had a very tragic fire; it was a		25	a minute; how long it takes to fill an 8,000 gallon tank, so
		V		

I_O'Key1-04

0087	,	^	008	8	
1	\ensuremath{my} point to that is we do need to deal with property owners up		1	Thank you.	
2	there. Should there be a drawdown to where the wells start		2	MS. SAW: Hi, my name is Claudia Saw and like a lot of	I_Saw
3	going dry, they're not going to be recoverable. There is the	I O'Key1-04	3	folks in the audience, I'm a volunteer. I'm just here on my	Ţ
4	fire danger and that will bring the National Park Service	1_O Key 1-04	4	own dime and one of the folks that should be here at table	
5	into it because they can no longer fight fires, and we also		5	that wasn't able to be here, because they didn't know about	
6	need to have a contingency plan for the property owners up		6	the meeting was the Wildlife Conservancy and that's because	
7	at the higher elevations, and that's it. Thank you.			they raised \$45 million to buy out Cutelis (phonetic) lands	
8	MR. FERONS: Mr. Mendoza?		8	and at \$15 million was kicked in, and they donated that to	I_Saw-01
9	MR. MENDOZA: I don't have any intent in addressing	I_Mendoza2	9	the federal government for conservation. And so, for long-term	
10	any of the questions that some of you have asked, because I		10	protection. And they would like to be, I'm sure, a stakeholder	
11	have seen Cadiz map on this. I have seen the original work	Ţ	11	or a part of this process to get information and to monitor how	
12	that has and still owned by Cadiz. I do recommend that you		12	this EIR goes down. So I think they need to be contacted.	
13	send it to the people here. What I'm seeing here is a great		13	Their office is in Oak Glen. I have no card with them, but	
14	deal of fear, and when there is fear, that's hate; and hate		14	I can provide an E-mail address for the conservation director.	
15	and fear are associated with each other. I also recommend		15	MR. FERONS: Thank you. Any other last?	I Adams3
16	that you pay careful attention to the property owners that		16	MS. ADAMS: Yeah. One more time. Couple of things	
17	have already spoken with regards to being concerned with the		17	haven't been asked. Is the court reporter's record of this	
18	drawdown of the water they use.	I Mendoza2-04	18	meeting I like to know, is that going to be accessible to	
19	And I would recommend that you make that 60 days or	_	19	our group? To our town? I am really interesting in this	
20	90 days extension for what is needed, because it is obvious		20	Brown situation. If it really turns up that this meeting is	
21	to me that the people that are coming up here, many of whom		21	not legal, I'd like to know more about that, and I think the	I_Adams3-02
22	I have a lot of respect for, did not have sufficient information,		22	community is going to look into that. I think that if it	
23	and they were expressing information, expressing ideas that can		23	really turns out we are being misrepresented, and this goes	
24	be easily dealt with. I have no doubt in my mind that there is		24	to court, United States of America, to our constitution, and	
25	mitigation for everything that was asked that will be negative.		25	I'm going to tell you what, if this turns out to be true, then	
				\	V

0089 I_Adams3-02 I'm going to be very sad citizen here. Thank you. MR. AKANA: Can I say something? I spoke earlier. I Akana I know people got to go work and stuff. I heard a lot of 3 emotion on both sides. I heard good points on both sides. What I heard a lot of mostly is conjecture. You don't know. 5 Okay. Get the facts and go to work and do your homework. I get it's your home --MS. MUSSER-LOPEZ: So our job is theirs --MR. AKANA: And you, you rally -- you're very emotionally 10 involved. I understand that; nobody wants to be a disaster. I Akana-02 I get that. 11 MS. MUSSER-LOPEZ: Well, we're not making money like 12 13 MR. AKANA: What I've mostly heard from you doesn't 14 have anything to do with the facts, so deal with the science. 15 Deal with facts. Emotion set aside, you will make intelligent 16 decisions. What we are doing is beating it and beating it. 17 You can bang on the gavel all you want. 18 19 Thank you. You guys did a great job. 20 MS. MUSSER-LOPEZ: We all did a great job. We came here to get information; not to give it. 2.1 22 MR. FERONS: Anybody else? Thanks again, everybody, for coming. We definitely got an earful today, and we 23 appreciate everybody's comments and the time you spent coming 24 out here. The court reporter's tape is a part of the public

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1	record; it will be used. We will get the transcript, and we		
2	will have written responses to everybody's comments today,		
3	so it will be included in there and everything will be		
4	responded to.		
5	MS. ADAMS: Can I ask one last question?	I_Adams3	
6	MR. FERONS: Yes.		
7	MS. ADAMS: How did you select Joshua Tree to be a	Ţ	
8	meeting place?		
9	MR. FERONS: We tried to find a place that had capacity		
10	that was relatively close to the everyone. That's the best		
11	answer I can give. We could have gone to Twentynine Palms.	I_Adams3-03	
12	Could have gone to Essex. Could have gone to his house		
13	with several other folks.		
14	MS. ADAMS: One last question. Why isn't there		
15	anybody from Cadiz here? Who's from Cadiz?	Museum Lener 7	
16	MS. MUSSER-LOPEZ: I have a question. How did you	I_Musser-Lopez7 T	
17	decide you have jurisdiction over us?		
18	MR. FERONS: Yeah, the way California CEQA Act works is		
19	that you have jurisdiction on the project, and you can have		
20	projects outside of your physical boundaries, and so since		
21	this is a project that we are interested in and we are the	I_Musser-Lopez7-09	
22	first ones that signed up, we became the leader.		
23	MS. MUSSER-LOPEZ: Between who?		
24	MR. FERONS: Santa Margarita Water District decided.		
25	MS. MUSSER-LOPEZ: Thank you. You decided yourself?	\downarrow	

0091		
1	MR. FERONS: We did?	\uparrow
2	MS. MUSSER-LOPEZ: You did. You didn't ask the county?	I_Musser-Lopez6-09
3	MR. FERONS: We didn't actually have an agreement with	
4	the County. They are reviewing as a responsible agency.	
5	(Meeting adjourned at 8:28 p.m.)	
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