



League of Women Voters of Monterey County



Incorporating LWV Salinas Valley since 2013 / September 2013, Volume 86, Number 1

Wednesday, September 11, 2013

Fracking the Monterey Shale: Learn the Facts

Our first **League of Women Voters of Monterey County** “Lunch & Learn” presentation since the Monterey Peninsula and Salinas Valley merger will be a discussion on fracking. Fracking is hydraulic fracturing of rock using pressurized liquid to extract oil and natural gas.

Our guest speaker **Adam Scow** will present current plans of the oil and gas industry to massively expand fracking throughout California’s **Monterey Shale**, a rock formation that stretches from the Bay Area to Los Angeles. This formation is estimated to contain billions of barrels of oil.

Mr. Scow will examine the environmental and health risks of fracking in the context of our State and National energy portfolio. He will update us on the most recent actions in Sacramento regarding fracking.

Adam Scow is the **California Campaign Director** at **Food & Water Watch** (www.foodandwaterwatch.org) where he is responsible for developing strategy for local, state, and national campaigns. He has led numerous successful campaigns at the local and state level to protect California’s water as a human right and public resource. He has served on the planning committee for the annual **California Water Policy Conference** and is a board member of **San Francisco Tomorrow** (<http://sftomorrow.org>). Previously, Mr. Scow researched federal farm policy and water transfers in Washington DC.

Information: **Beverly Bean** beverlygb@gmail.com

LWVMC September 11 Lunch & Learn Meeting

(Held on the second Wednesday of the month)

Lunch 12 noon / Presentation 12:30

\$15 per person for lunch

(salads, beverages, and dessert provided by Café Athena)

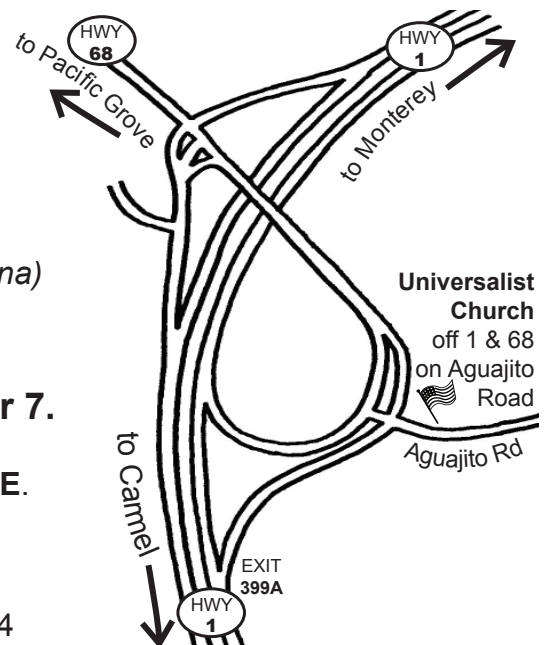
Reservations are a must for lunch!

Contact Lorita Fisher by Saturday, September 7.

(phone 375-8301 or e-mail GLFisher@redshift.com)

Pay at the door for lunch: meeting/presentation is **FREE**.

LWVMC Lunch & Learn Meetings are held at the
Unitarian Universalist Church <http://uucmp.org>
490 Aguajito Road / Carmel CA 93923 (831) 624-7404



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The PRESIDENT'S Message

It has been a busy summer for the League. Since my last President's Message, the Board has met twice, on May 11 and August 26. The new Board meeting time is 5 pm on the second Monday of the month at the Mariposa Hall meeting room.

The new Board has discussed and adopted its Policies and appointed committees including Audit, Budget, Executive, Financial Planning and Handbook. We have one vacancy on the Nominating Committee. We decided, at our Webmaster's recommendation, to transition our website to the LWVC EasyWeb. Our topics and speakers for the Lunch and Learn meetings are mostly planned. If you have any suggestions for the 2014 meetings, please let me know as soon as possible.

The Board endorsed the Protect Fort Ord Open Space Access Initiative and published a guest editorial in the **Monterey County Herald** on May 19. We said:

"The League's support is based on its study of the reuse of Fort Ord. The study resulted in a position that supports preservation of open space and recreational uses for areas that include steep slopes, endangered species, unique habitat, wildlife, and wetlands ... The League believes that the [Veteran's] cemetery and the endowment parcel should be de-linked from the Monterey Downs development, just as State Senator Bill Monning tried to do a few months ago. If this had happened the choice between massive development on heavily forested oak woodlands versus preserving our natural resources for recreational use would be much clearer."

After the petition qualified for the ballot, we joined as signers of the ballot **argument in favor of Measure "M."** Because we are advocating for the ballot measure, we will not be staffing the usual precincts for the November election. **The Registrar of Voters** believes that we cannot provide impartial voters service and do advocacy for the same election. This has been the case in previous elections when we have taken a position on a local measure.

Advocacy on local issues is part of the League mission and the public looks to us for our considered opinion. I followed the League's advice on the issues, long before joining and that was the main reason that I chose to become involved with the League in the early 1980s. I hope that you all share the League's advocacy at the local, state and national levels with your friends and colleagues before every election. **Beverly G. Bean** beverlygb@gmail.com





THE VIEW FROM EAST OF EDEN

This **Voter** is the first edition of our newly merged **Monterey County League**. It seems fitting that we begin by outlining how we envision the **Salinas Valley Unit** will work. When former Salinas Valley members ask, we point out the obvious economies of scale—one President, one Treasurer, one website, etc. We explain the Unit system of “geographically challenged” Leagues and assure them that we will continue recruiting members, seeking volunteers, etc. We assure our various communities that we will continue our long standing voter service activities from Greenfield to Aromas!

We urge folks to attend (and perhaps carpool) to the monthly **Lunch & Learn** programs in Monterey. We have been planning the **National Agricultural Study** for which we have a very capable Chair: **Patti Fashing’s** credentials are quite impressive—she has a **BS in Agronomy (Colorado State University)**, **MS in Plant Pathology (University of Arizona)**, and is a **Research Technician** with

the **USDA Agricultural Research Service**. We plan to have programs on the Ag Study at the end of 2013 and the beginning of 2014 that will be of interest to all. And of course, our Leagues are now one voice when we speak to the **Monterey County Board of Supervisors**.

As members of a bigger, brand new League, we now have more time and energy to focus on the issues that we are most passionate about—voter service, housing, education, agriculture, services for children and youth, etc. We intend to be an active Unit! We hope all members of the former Salinas Valley League will participate and join across the County to put our best face forward!

Kalah Bumba Kalahplans@aol.com

*Kalah Bumba joined the **LWV Mission Hills Unit, San Diego** in 1972 and transferred to the **Salinas Valley League** in 1975. She is now Secretary of the **LWVMC**.*

CALIFORNIA STATE CONVENTION 2013

The **League of Women Voters California State Convention** was held in **San Jose** this summer from May 17 to 19. **LWV Monterey Peninsula** sent a strong contingent comprised of **Beverly Bean, Kemay and Carson Eoyang, Janet Brennan**, and myself, **George Riley**.

Our top priority was on **banning Internet voting**. This was consistent with prior resolutions by State and National Leagues to oppose electronic election systems for reasons of unproven security and lack of transparency.

Both the State and National Leagues adopted such focused resolutions in prior conventions, largely because of the leadership of concerned activists, including LWVMP. Those prior resolutions needed large delegate support in floor debates and were successful. This time it was another story:

unbeknownst to any of our delegates, the State League had changed its use of ‘resolutions’ for policy considerations.

Standard procedure is to formulate a proposed policy consideration, send it to all other local Leagues, organize caucus meetings, present background information, lead discussions, and promote and advocate as appropriate within the convention facilities. All this was done. Research documentation was compiled, thanks to **Kemay**. Promotional handouts and placards were circulated, thanks to **Amy Anderson**.

The caucus headlined with **Barbara Simons, Computer Scientist, UC Berkeley; Member, Board of Advisors, US Election Assistance Commission**; co-author of “**2009 LWVUS Task Force Report on Election Auditing**”; and

Member, LWV San Francisco.

Response was positive throughout the first day and a half and in the caucus. Then came the procedural review Saturday night by LWVC. This is when we first learned that the state League had changed the rules: no longer were locally generated policy resolutions allowed to be presented, only very short-range congratulatory or acknowledgment resolutions. This was a complete surprise to us.

After nearly two hours of negotiation and discussion with the Resolutions Committee, we decided to object, and proceed to promote the ban on internet voting in floor debate the next day. The State Resolutions Committee opposed us.

During debate on Sunday morning most floor comment was in support of our position, despite the opposition of the Resolutions Committee. It was set for a vote Sunday afternoon. High drama and we were encouraged. But over the lunch hour, apparently the State leadership rallied its forces, including our MTA who was also on the Resolutions Committee and opposed us. The voting session Sunday afternoon was spirited. Clarifying amendments were offered, but disallowed by the State Parliamentarian. The fight seemed to reflect procedure over substance, and State leadership over activist local Leagues.

The first vote was a tie and therefore a loss to us. Later one delegate changed her vote to support, so a second vote was required. The resolution got new life. The second vote however failed, again by only a few votes. Procedure trumped substance. The delegates were evenly divided. The debate was useful as it showed the difference between Leagues who supported active policy and those who relied on State leadership for policy.

Though we were disappointed on the Internet Voting issue, the Convention was not a total loss. Janet, who led a workshop on understanding the CEQA process for League objectives, sure opened some eyes on how useful CEQA can be for local League advocacy!

George Riley georgetriley@gmail.com

WHERE THE ACTION IS

Carmel River Parkway

In a letter to the **Board of Supervisors**, the League supported the **Carmel River Parkway** which is a multi-purpose project combining flood protection, habitat enhancement, wildlife corridors and agricultural land protection, storm water retention and public recreation on a 130-acre site in the Lower Carmel River east of the State Route 1 bridge. The **Monterey County Board of Supervisors** voted to take the lead in implementing the project.

Appeal Fees

After years of the League supporting lowering fees to appeal land use decisions, the Board of Supervisors approved reducing the fees from about \$5,000 to about \$1,000. This is a major victory for citizen participation in land use decisions.

Water Update

Numerous agencies and organizations have approved a **Settlement Agreement for the CalAm water supply project**. Those signing the agreement support the proposed project subject to EIR findings and agree to refrain from actions before other permitting agencies that are inconsistent with the Settlement Agreement. The agreement includes:

1. **Soft cost caps** for the proposed desalination plant and pipelines allowing for CalAm to ask for higher caps if they are exceeded;
2. **A new surcharge** that would be passed on to ratepayers prior to project completion with funds earmarked for pipelines and the desal project after permits have been obtained;
3. **Use of public funding** to lower ratepayer costs;
4. **Extraction of source water from the Salinas Valley Groundwater Basin** with focus on the water from the "shallow" aquifer to avoid the intruded 180 foot aquifer;
5. **A study** to determine if extraction of source water would "harm" other water users;

- 6. **Identification of contingency plans** in the event the proposed location of source wells proves infeasible;
- 7. Regarding items 4-6, five organizations (i.e., **MCWRA, Salinas Valley Water Coalition, Farm Bureau, LandWatch and Citizens for Public Water**) have reserved the right to contest matters in their interests, if necessary.
- 8. **Criteria to be used** by the CPUC to determine if it should approve a water purchase agreement for a smaller desalination plant based on availability of water from a **Groundwater Replenishment Project**.

The League’s position on water supply projects for the Monterey Peninsula is identified in the **Hybrid Regional Plan** (www.lwvmp.org/action/hybrid-regional-plan.html) developed in 2009. Issues in relationship to the plan follow:



- 1. **The Plan calls for public ownership and management of water supply projects.** While the Settlement Agreement provides for some public funding to CalAm, a private corporation, the desalination plant would be owned and managed by CalAm. The public would not receive any equity in the project in exchange for public funding. A Governance Committee comprised of representatives from three government agencies and CalAm provides for some public participation but falls short of full public participation that public ownership would provide.
- 2. **The Hybrid Regional Plan recommends avoiding extraction of source water from the Salinas Valley Groundwater Basin (SVGB)** in part due to previous litigation and the prohibition of transporting water out of the Basin. The Settlement Agreement supports extraction of water from the Basin as do all identified contingencies. While the agreement calls for a study to determine impacts to

the Basin, the data to support the analysis would not be available in time for either the EIR or the final decision by the CPUC in August 2014. Regardless of the study’s findings, CalAm is free to make a decision to extract water from the Basin. There are some attorneys who argue that regardless of the study’s findings, there are no excess water rights because the SVGB is an overdrafted basin.

3. The Hybrid Regional Plan supports the Groundwater Replenishment (GWR) project. The approval criteria for GWR are complex and significantly more stringent than for the desalination plant, e.g., requirements for legal certainty before GWR can be approved. The desalination plant faces numerous potential legal challenges, particularly related to water rights. For example, the **Ag Land Trust** has called for preparation of an EIR for the CalAm test wells currently under consideration by the **City of Marina**—a potential avenue for litigation should another environmental document be approved.

4. The Hybrid Regional Plan calls for replacement water only. While the sizing issue will be addressed in another Settlement Agreement, project sizing identified in the Settlement Agreement identified above would accommodate water for lots of record and “tourism” bounce-back, enough water to accommodate over 6,000 new residential units. Based on comments by the MPWMD General Manager, there is no assurance that once the water is allocated to local jurisdictions that the water would be used for identified purposes.

By all accounts, the January 2017 deadline limiting water use from the Carmel River will be missed by at least one year.

Janet Brennan, Natural Resources Director
JanetB@montereybay.com

COMMENTS FOR THE AUGUST 14, 2013 CPUC HEARING, MONTEREY

"I am Janet Brennan, Natural Resource Director, LWV of Monterey County. My comments are directed to the role of the CPUC in water supply projects for the Monterey Peninsula.

The League of Women Voters of Monterey County has supported the Monterey Peninsula Water Management District (MPWMD) as the public agency responsible for planning and implementing a water supply project since the 1980s. Decisions by the California Public Utilities Commission (CPUC) have significantly limited the District's role in all of these areas.

State legislation in the mid-1990s required the CPUC to identify a water supply project for the Monterey Peninsula after voters failed to approve a dam on the Carmel River. Even though the legislation did not designate the CPUC as the lead planning agency, it assumed that role for the Coastal Water Project which ultimately led to the ill-fated Regional Desalination Project. The CPUC's lead agency role continues today for CalAm's Monterey Peninsula Water Supply Project.

On another matter, the CPUC's decision to prevent California American Water (CalAm) from collecting fees for the MPWMD has led to protracted issues related to funding for the District, further distracting it from its role as a public manager of water supply projects.

Addressing current issues, the settlement agreement recently approved by numerous intervenors would grant the CPUC decision-making authority over groundwater

replenishment (GWR) which would be a publicly owned project. This project is being planned by the Monterey County Regional Water Pollution Control Agency and the Monterey Peninsula Water Management District. Since the CPUC's approval authority over public projects is outside its jurisdiction, the settlement agreement should be modified to limit the CPUC's role to approving a GWR water purchase agreement based on reasonable assurance that the project is feasible.

The League is concerned that the current project proposed by CalAm will lead to a similar outcome as the failed Regional Project since many of the issues related to the new project persist today. Availability of water rights in the Salinas Valley Groundwater Basin remains unresolved, and the proposed hydrologic study to address water rights is months if not years away. Test well data from numerous sites are now recommended by the State Water Resources Control Board (SWRCB). Yet, permits for even the first test well site may be delayed. Data to address the water rights issue will not be available for the Draft Environmental Impact Report (DEIR), and only limited data will be available when the CPUC is scheduled to make its decision in August 2014.

Because the CalAm project is significantly behind schedule with an implementation date now projected for mid-2018, the CPUC should consider alternatives to the proposed project including expanded groundwater replenishment, expanded aquifer storage and recovery which is a joint project of the Water Management District and Cal-Am and a desalination alternative being developed by the Water Management District."



LWV Monterey County Website Now Up and Running!

Go to <http://lwvmryco.org>. Note that we are evolving. We welcome your comments, especially if you find any errors. Let us know right away and we will do our best correct them. We're still making improvements to the front page (including adding active advocacy items, e.g., information about the League's efforts on Fort Ord Initiative "M").

Robin Tokmakian, Webmaster trillerud@mindspring.com

MEMBERSHIP MEMO

Many thanks to all of you who have already renewed your membership. However, there are still many who have not and we urge you to send your membership forms and checks now. A renewal form is on this page.



We are **VERY** grateful to those listed below who included donations with their memberships (membership fees are included in the totals):

Carrie Chapman Catt Level

\$300 - Janis and Anton Prange
\$250 - Konny Murray, Mez Benton, Gillian Taylor and Peter Neumeir

Sojourner Truth Level

\$200 - Barbara Baldock and Phil Butler, Dennis and Susan Mar

Susan B. Anthony Level

\$100 - Fran Gaver, Janice Elster, Sally Gamble, Shirley Meneice, Lorita Fisher, Harriet Mitteldorf, Philomene Smith, Molly Erickson, Lorri Lockwood, Tamara Harris, Nancy Green, Jean and Marshall Kneale, Karen Strasser Kauffman, Lyn Rosen, Darby Worth, Judy Higgerson and Jim Procida, Joy Osborne, Betty Matterson, Carole Erickson, Raul and Anna Rodroquez, Janet Brennan, Kristi Markey, Janet Mooers, Amy Anderson and George Somero, Ann Clifton, Kalah Bumba, Jane Di Giralamo

Lisa Hoivik, Membership Chair
LHoivik@comcast

The Voter: League of Women Voters of Monterey County

Published monthly September to May
New writers welcome!

Send articles related to current or historic League issues, positions and priorities, updates and suggestions to:

Regina Doyle, Newsletter Editor
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Join the
League of Women Voters
of Monterey County



Any person of voting age, male or female, may be a member of the League!

Renew Your LWVMC Membership

Thank you to all who have renewed their memberships ahead of our summer renewal campaign.

If you know someone who might be interested in becoming a member, bring them along as a guest to the next Lunch & Learn meeting. Then give them a copy of this application!

Use the form below or contact:
Lisa Hoivik, Membership Director
LHoivik@comcast.net or 375-7765

Checks payable to LWVMC
Mail to LWVMC PO Box 1995
Monterey CA 93942

Membership Levels

- \$250+ Carrie Chapman Catt
- \$200 Sojourner Truth
- \$150 Elizabeth Cady Stanton
- \$100 Susan B. Anthony
- \$ 90 Household (2 persons, 1 address)
- \$ 60 Single membership

Name(s)

Address

City

State

Zip Code

Phone

e-mail

- Send e-mail reminders for luncheons
- Call to remind me of luncheons

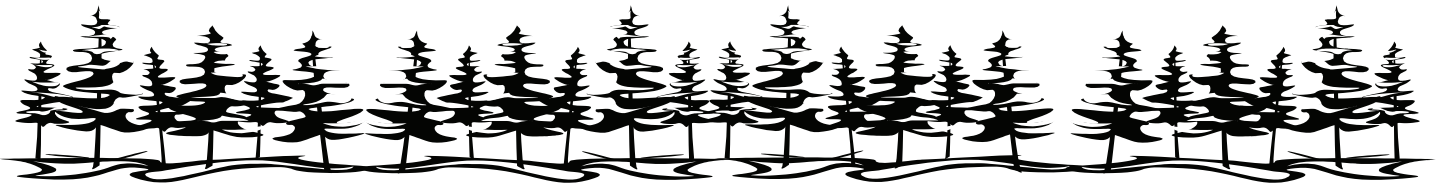
Because we lobby on public policy issues, membership dues & contributions to LWVMC are not tax deductible. However, donations to the League of Women Voters of California Education Fund (LWVCEF) are tax deductible.



Monterey County The VOTER
incorporating LWV Salinas Valley since 2013
League of Women Voters
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**Lunch & Learn with the League
 Upcoming Programs 2013**

*Watch this space for announcements on
 upcoming programs for October 9, November
 13, and December 11.*

What's the LWV's Position on That?

Find carefully studied positions on current
 issues, from gun safety to meeting basic
 human needs and more at
www.lwv.org/content/public-policy-positions.

For example, on **Health Care**,
 the League promotes a health care system
 for the United States that provides access
 to a basic level of quality care for all US
 residents and health care cost controls.

On **Protecting the Environment**,
 LWV promotes preservation of the physical,
 chemical and biological integrity of the
 ecosystem, with maximum protection of
 public health and the environment.

September 2013
Program Calendar



Natural Resources Committee

NO MEETING SEPTEMBER

*Next meeting October 17 noon to 1:30pm
 (second Thursday of each month)*
 Mariposa Hall, 801 Lighthouse, Monterey
 Contact: **Janet Brennan**, 659-2090
JanetB@montereybay.com



**Board Meeting
 LWV Monterey County
 Monday, September 9**

5pm
(second Monday of each month)
 Mariposa Hall, 801 Lighthouse, Monterey
 Contact: **Beverly Bean**, 484-2451
BeverlyGB@gmail.com