

**From:** John Moore <[jmoore052@gmail.com](mailto:jmoore052@gmail.com)>

**Date:** August 12, 2018 at 11:00:22 AM PDT

**To:** [georgetriley@gmail.com](mailto:georgetriley@gmail.com)

**Subject:** Re: Forum: Pure Water Monterey expansion as possible Cal Am desal back-up plan

Sorry, but the MOW was authorized by the board as a matter of law. Also, you seem to be its agent. Take your chances. BTW, What are you afraid of?JMM

On Sun, Aug 12, 2018 at 10:53 AM George Riley <[georgetriley@gmail.com](mailto:georgetriley@gmail.com)> wrote:

Thanks for being persistent.

But your legal conclusion is wrong. PWN is not a public agency with Brown Act requirements. And the presentation by MOW is not a board action, and is not included in Brown act requirements.

My decision stands. I will make sure you have a chance to ask a question or two. But not debate.  
George

On Sun, Aug 12, 2018 at 9:01 AM John Moore <[jmoore052@gmail.com](mailto:jmoore052@gmail.com)> wrote:

George. You say that the Tuesday forum is the proponents forum. I agree. That means that Water1Monterey and Public Water Now are controlled by the Brown act. It needed to post an agenda by Friday and is required to give the public an opportunity to present at the Tuesday forum. It may be a crime to go forward.

I renew my request to appear and present my evidence and argument at this government sponsored forum.

In his article, Jim Johnson quoted my general position about the illegality of the PWN project. He omitted my goal, which is: I want the judge in charge of the Seaside Basin to hire an independent medically trained expert about the public health safety, or not, of injecting the mix into the Seaside Basin and based on that evidence to decide whether the PWM mix is safe. Margaret Nellor, the so called expert for Water1Monterey was/is totally unqualified to testify about the safety of the projects mix. Agriculture waste has never been recycled for potable purposes and all state water board experts agree that current law only applies to municipal waste water and all other sources should be carefully excluded from the mix.(see attachment from state study).

I don't practice law anymore, but in my view, approval of a mix of muni-wastewater with unproven recycling of agriculture waste, is clearly "arbitrary and capricious" and illegal. IT is also a criminal nuisance per the Health and Safety code.

On Fri, Aug 10, 2018 at 2:51 PM Marcia Wright <[marciawright@comcast.net](mailto:marciawright@comcast.net)> wrote:

**George Riley is such a dolt, a true True Believer! I love the statements I've clipped below! 🤖 So robotic and thick!**

Water Czar, Stolt, must crack up everytime Georgie looks at him with his adoring eyes, a sheep waiting to be sheared.

“Yuck factor” - that’s sooooo old and tired. If the pro-recycle cheerleaders would spend more time doing actual scientific research, instead of spinning wheels and fretting about anti-“yuck” PR, they might accomplish something useful.

Btw, Margaret Nellor was hired by Duffy Assoc for 2 tasks:

1. to lie about no public health risks of PWM
2. to address “perception” issues - “the mythical yuck factor” - LOL! Nellor and Riley - a match made in heaven.

I re-read Nellor’s testimony to ALJ Weatherford - what an abrasive, arrogant bi\*c\*. She was so rude to Ron Weitzman - who the fudge does Nellor think she is? She’s a freaking sanitation engineer. Big whoppie. Ron has his Ph.D. from Stanford in statistics and/or math. Ron’s IQ is double Nellor’s.

Anyway, here’s something funny to tease Georgie with. “ World renown infectious diseases physician, Dr. Peter Collignon, said that the “yuck factor” helped mankind survive all these thousands of years - it’s a natural survival instinct to be repelled from consuming virus laden poop.”

It’s so hilarious how Georgie rattles off by rote all these brainwashed ideas spoon fed to him by Cesspool and Typhoid on those long round trip drives to Sacramento.

I hope my husband has Tuesday off. He wants to rent a truck for a month with posters stuck on it about PWM and move around different neighborhoods - e.g.. in front of Fortress City Hall for a day and then in front of Typhoid’s office building and then in front of Cesspool’s smelly facility in Marina.



Marcia

**The state has standards, review procedures, and permit requirements. All are in play. We'll hear about them too. There has always been the yuck factor, but as more and more populations find it safe, more attention is given it as a safe use. That is the reason why it has moved as far along in California.**

On Aug 10, 2018, at 1:58 PM, John Moore <[jmoore052@gmail.com](mailto:jmoore052@gmail.com)> wrote:

George: The yuck factor is not my issue. My issue is simply that PWM has not obtained a single opinion by a medical expert about the fact that there are currently NO tests for toxins that get by the Advanced Treatment Procedures. Therefore, the public who have had this project jammed down its throats w/o its consent, must deal with the fact that

all scientific studies(that are set forth on the State Water Resources Control web-site) indicate that the PWM project is dangerous to public health.

You are now on record as opposed to an insurance policy by the judge who oversees the Seaside Basin in obtaining a relevant safety opinion from one or more of the medical experts who have advised the State Bd . that the test procedures to identify the chemicals and pathogens that are guaranteed to get thru the PWM treatment are not yet in place. Cal Am customers are to be the test cases.

All of this risk to have Cal Am customers pay for the clean up of the most toxic agriculture waste known to man.  
And the Salinas people will not be forced(against their will) to drink the stuff. Just us.

It is really scary, that a person of your insensitivity is leading the effort to buy out Cal Am. I am not a Cal Am fan, but to think of Dave Stoldt CEO of the Monterey Peninsula Water Management District running the Cal Am water business is cause for genuine fear. He could have given us a vote, but did not.

All experts about the choice, or not, of recycling waste water for potable purposes agree: If deep water desalination based on the proven Israeli technology is available, utilize it; recycled wastewater is for emergencies.

BTW, the Orange County Water District project is totally different from the PWM project: 1. it only recycles human sewage, 2. it refuses to recycle Ag waste water, and 3. it does not mix two different toxic flows. But most importantly, after treatment, its water is injected into three large basins, then it percolates thru sand, soil, and the Santa Ana river for five years and then flows into the huge Orange county aquifer: from there 29 water districts withdraw water for potable purposes. Compare that process to the PWM process: it treats the mixture of human and Ag waste and hopes to inject it directly into the Seaside basin and then to Cal Am. There is no measurable benefit to injecting the water into the basin, it could be injected directly into Cal Am wells with the same health risks. But PWM says time in the basin allows it to test for contaminants and if contamination razes thru the basin, it will stop the process. If the mix was injected into a Cal Am test well, that would reveal the contamination w/o contaminating the basin. So placing the mix in the basin is simply a ruse, so phony experts like Nellor can say "hey, PWM is like the Orange county project." John M. Moore

----- Forwarded message -----

From: George Riley <[georgetriley@gmail.com](mailto:georgetriley@gmail.com)>

Date: Fri, Aug 10, 2018 at 12:25 PM

Subject: Re: Forum: Pure Water Monterey expansion as possible Cal Am desal back-up plan

To: <[jmoore052@gmail.com](mailto:jmoore052@gmail.com)>

Cc: Jim Johnson <[jjohnson@montereyherald.com](mailto:jjohnson@montereyherald.com)>

John, this is a presentation by the proponents. Many will attend. Your general question has already been raised, even in our own media material and in Jim Johnson's article. So the subject is not new. That is one of the reasons for PWN forums-- to get transparency and awareness, and into public dialogue questions about unknowns and concerns.

The state has standards, review procedures, and permit requirements. All are in play. We'll hear about them too. There has always been the yuck factor, but as more and more populations find it safe, more attention is given it as a safe use. That is the reason why it has moved as far along in California.

I will allow you a question or two on the subject. Depending on the number of questions, and the intensity of some points, there may be more or less discussion of it.

No, you will not be allowed 10 minutes to debate the proponents. I hope I can meet you before it starts. At least I will know who your are.

George Riley

On Fri, Aug 10, 2018 at 10:10 AM John Moore <[jmoore052@gmail.com](mailto:jmoore052@gmail.com)> wrote:

----- Forwarded message -----

From: Luke Coletti <[ljc@groknet.net](mailto:ljc@groknet.net)>

Date: Fri, Aug 10, 2018 at 5:34 AM

Subject: Forum: Pure Water Monterey expansion as possible Cal Am desal back-up plan

To: <[jmoore052@gmail.com](mailto:jmoore052@gmail.com)>

George: I am the John Moore referenced in Mr. Johnson's article in today's Herald. As you are aware, I am attempting to convince the judge in the Watermaster case in the Superior court(Seaside Basin is an adjudicated Basin and controls the safety and administration of the Basin), to obtain the services of an expert with medical training to advise him about the safety, or not, of allowing Pure Water Monterey(PWM) to inject its treated mix into the Seaside Basin. PWM has a permit to construct its project, but it is subject to obtaining the consent of all necessary agencies(like the Watermaster),et al.) That mix is unsafe for injection into the Seaside basin.

In the permitting process, PWM never obtained the opinion of an expert about the public safety of the project's product by any of the many

medical experts who do the heavy research about recycled water for potable purposes. There are none that would approve the project and that is why they were excluded.

Instead, PWM relied upon Margaret Nellor, of Nellor Environmental out of Texas as its "safety expert." She has a BS and Masters degree in Engineering and worked for years as a sanitation engineer. She has no training about detecting toxins in recycled water for potable purposes. She cites tests for her opinions, but according to the medical experts, those tests are not adequate to determine whether the water is safe for potable purposes. So she is not qualified to testify about the medical safety of the PWM mix. In fact, according to the legislature and the State Water Resources Control Board, proper tests for a facility like PWM will not be available until 2023. And per that Agency, and the expert reports it has acquired, all of its research has been about "municipal wastewater," not wastewater from other sources, like toxic Agriculture waste.

If the Tuesday forum is going to discuss my objections to the project, which are based on medically trained expert research and discussions of record, I should be given a ten minute opportunity to respond to the other sides presentation.

How can PWM truthfully object to the judge of the Seaside basin obtaining the advice from a medically trained expert about the safety, or not, of the PWM projects treated product? This is our drinking water supply.

I was told by MIIS that this is PWN's show, so it is up to you to give me a fair opportunity to present my facts that show that no medical expert was consulted about the PWM project and it is critical that the judge in the Watermaster case obtain public safety advice from such an expert. Otherwise the CalAm water may cause the hugest "cancer cluster" in Ca. history. John M. Moore(licensed, retired Ca. lawyer, JD Stanford School of Law)

“According to Riley, the forum will also seek to address public questions about recycled water quality regarding the Pure Water Monterey project, including the argument from Pacific Grove resident John Moore that the mix of sewage with “highly toxic” agricultural water has never been attempted before nor has it been adequately tested, and creates an unacceptable risk of contaminating the Seaside basin.”

“Moore has also argued that Pure Water Monterey was improperly permitted as an indirect potable reuse project when its product water is actually going to be pumped directly into an existing fresh water basin in a manner more similar to direct potable reuse, which the state does not yet allow.”

<http://www.montereyherald.com/environment-and-nature/20180809/forum-pure-water-monterey-expansion-as-possible-cal-am-desal-back-up-plan>

Forum: Pure Water Monterey expansion as possible Cal Am desal back-up plan

By Jim Johnson, Monterey Herald

Updated: 7 hrs ago

Monterey >> With a key decision time approaching for California American Water’s desalination project, local activist group Public Water Now is hosting a forum next week aimed at exploring the potential for an expanded Pure Water Monterey recycled water project that could potentially replace the desal project if it falters or is delayed, perhaps by litigation.

Set for Tuesday, the forum will feature Monterey One Water general manager Paul Sciuto, whose agency is in the midst of building the Pure Water Monterey project and has developed an expansion proposal in response to a request by the California Public Utilities Commission and Planning and Conservation League executive director Jonas Minton, who has been one of the leaders among those calling for exploring an alternative water supply plan based on recycled water expansion in case Cal Am’s desal project is delayed with a series of Carmel River cutback order milestones rapidly approaching.

The forum is scheduled for 7 p.m. at the Middlebury Institute of International Studies at Monterey’s Irvine Auditorium at 499 Pierce Street.

Other recent Public Water Now forums included one in June airing the concerns of project opponents Marina Coast Water District and the city of Marina and another last month featuring the community of Montara’s experience with its public buyout of Cal Am.

While Public Water Now is backing another November general election ballot measure aimed at exploring feasibility of a public buyout of Cal Am’s Monterey system, and has conducted dozens of water issue forums over the past several years including several related to a public takeover, the organization’s managing director George Riley insisted next week’s forum is intended to be purely informational and

will not be anti-Cal Am or anti-desal project. Riley said the goal is to inform the public about the potential of more cost-efficient and environmentally friendly recycled water to help meet the Peninsula's water demand, at least for the short term.

"As (CPUC) decision time gets closer and closer, and the (fall) election gets closer and closer, and candidates are asked where they stand on issues — and maybe our ballot measure is part of that, we're trying to get as much information out there as possible, and that's always been our goal," he said.

At the same time, Riley acknowledged the threat of litigation delaying Cal Am's desal project even if it gains CPUC approval next month makes the Pure Water Monterey expansion a hot topic. A CPUC official has promised a key proposed decision on Cal Am's desal project would be issued by Monday and the commission will be scheduled to consider the project at its Sept. 13 meeting.

It's also worth noting that one of the key arguments against a public buyout put forward by Cal Am and its supporters is that such a process would distract Cal Am from completing the essential desal project, an argument that would appear to be weakened if there were an alternative water supply.

Cal Am spokeswoman Catherine Stedman noted that the desal project environmental review analyzed a range of alternatives including Pure Water Monterey expansion and found desal is a necessary part of the Peninsula's future water supply. Stedman also argued that litigation wouldn't necessarily halt desal project construction.

Tuesday's forum is set to provide an overview of the Pure Water Monterey project, which is already set to provide 3,500 acre feet of recycled potable water for injection into the Seaside basin for later use, and the potential for expanding that by 2,200 additional acre feet for a total of 5,700 acre feet per year. Combined with Cal Am's right to 3,376 acre feet per year from the Carmel River and the Seaside basin, and other supplemental water sources, the Peninsula could have about enough water to meet its current water demand of around 9,400 acre feet per year even without desal, according to Riley, though he also acknowledged the Peninsula will need a larger water supply than that over time.

Riley noted that the CPUC itself asked for backup options in case Cal Am's desal project is delayed for any reason, including litigation given the staunch opposition from Marina Coast and Marina city amid claims of legal and technical challenges. In response, Monterey One Water submitted its expansion proposal and a group of intervenors in the CPUC's desal project proceeding called for exploring the expansion

in a separate phase, but the CPUC never responded to that request.

The same group also submitted a formal request to the state water board to consider alternative milestones for the Carmel River cutback order that focused on recycled water expansion progress while delaying the desal project, and state water board staff announced last month that they were still considering whether to accept the application.

Riley pointed out that Cal Am hasn't signed on to any true backup plan, including the proposed recycled water expansion.

"Cal Am has done nothing to prepare for a litigation delay, which could lead to rationing," he said. "If Cal Am fails, they have no Plan B. Pure Water Monterey is becoming a major part of the solution to our water problems."

Under the current cutback order, Cal Am's desal project must be approved by the CPUC by Sept. 30 or risk losing up to 1,000 acre feet of river water per year until it is approved, and must begin construction by Sept. 30 next year or risk losing the same amount of water.

According to Riley, the forum will also seek to address public questions about recycled water quality regarding the Pure Water Monterey project, including the argument from Pacific Grove resident John Moore that the mix of sewage with "highly toxic" agricultural water has never been attempted before nor has it been adequately tested, and creates an unacceptable risk of contaminating the Seaside basin.

Moore has also argued that Pure Water Monterey was improperly permitted as an indirect potable reuse project when its product water is actually going to be pumped directly into an existing fresh water basin in a manner more similar to direct potable reuse, which the state does not yet allow.

Jim Johnson can be reached at 831-726-4348.

Sent from my iPad