List of Opponents to AB 1000

1  State Building Trades & Construction Council of California *
2  Santa Margarita Water District *
3  Laborers International Union of North America (LIUNA)/SCDCL *
4  Southern California Partnership for Jobs *
5  Southern California Association of Governments *
6  American Groundwater Trust *
7  Southern California Water Committee *
8  California Chamber of Commerce *
9  Inland Empire Economic Partnership *
10  Mojave Water Agency *
11  Imperial County Farm Bureau
12  Engineering Contractors Association *
13  San Gabriel Valley Economic Partnership *
14  California Business Properties Association *
15  International Union of Operating Engineers, Local 12 *
16  Building Industry Association of Southern California * (including Baldy View, Orange, Los Angeles/Ventura, Riverside)
17  BIZFED – Los Angeles County Business Federation *
18  Orange County Business Council *
19  Cadiz Inc. *
20  Three Valleys Municipal Water District *
21  Jurupa Community Services District
22  East Orange County Water District *
23  Twentynine Palms Water District *
24  Cucamonga Valley Water District *
25  Association of California Cities – Orange County
26  Orange County – Council of Governments *
27  Garney Construction *
28  California Steel Industries, Inc.
29  Roscoe Moss Company *
30  South Orange County Economic Coalition *
31  Orange County Taxpayers Association *
32  Lucid Energy *
33  Northwest Pipe Co. *
34  City of Mission Viejo
35  City of Twentynine Palms *
36  CH2M Hill *
37  MWH Global Inc. *
38  Terry Foreman, Hydrogeologist PG, CHg *
39  Dennis Williams, Hydrogeologist, PhD, PG, CHg *
40  Anthony Brown, Engineering Hydrologist *
41  Joseph E. Bonadiman & Associates, Inc. *
42  Laguna Beach County Water Department *
43  West Yost Associates Inc. *

(* = letter sent to Senate)
Comments on AB 1000 by Opponents and Water Industry Experts

“This new, innovative project is fully CEQA approved, locally permitted, and will make a significant contribution to the local job market and economy. Project construction alone is expected to create and support nearly 6,000 highly-skilled, high-wage jobs during construction of both phases, including dedicated on-site family-supporting jobs to local trades and veterans.” Southern California District Council of Laborers of LIUNA, Armando Esparza, Business Manager to Senator Hertzberg, Letter dated July 5, 2017

“On behalf of the International Union of Operating Engineers Local 12, I am writing to express our strong opposition to AB 1000 (Friedman), as recently amended on July 3rd…. Specifically, AB 1000 targets the Project in a completely inappropriate fashion by attempting to override duly agreed-upon existing law governing water conveyance.” International Union of Operating Engineers, Local 12, Ronald J. Sikorski, Business Manager, Letter dated July 5, 2017

“This legislation seeks to create a new certification process for water transfers that establishes very troubling precedents. While the bill targets the Cadiz Valley Water Conservation, Recovery & Storage Project ("the Cadiz Project"), it poses a potential threat to any new water transfer project in the state.” Southern California Water Committee, Charles Wilson, Executive Director to Senator Hertzberg, Letter dated July 10, 2017

“The California Chamber of Commerce OPPOSES your AB 1000. This “gut and amend” legislation seeks to create a new certification process for water conveyed in California’s water transportation systems. The bill appears to target the Cadiz Valley Water Conservation, Recovery & Storage Project ("the Cadiz Project"), but potentially threatens any new water transfer projects located in a very specific part of the state.” California Chamber of Commerce, Valerie Nera, Policy Advocate to Assemblymember Laura Friedman, Letter dated July 6, 2017

“As presented in the FEIR, the Cadiz Project presents no risk of any kind to the Mojave National Preserve, any of the new Monuments, the surrounding ecosystem, the springs, the flora, the fauna, or the aquifer itself…Since my review of the Cadiz Project, I have tracked the patently false claims made in articles and opinion pieces published in papers throughout California. The information contained in these pieces about the Cadiz area watershed recharge rates and supposed threats to the surrounding ecosystem is inaccurate.” Anthony Brown, CEO & Principal Hydrologist, Aquilogic Inc. to Senators Hertzberg & Stone, Letter dated July 11, 2017

“This “gut and amend” legislation would create an exceedingly dangerous precedent, potentially threatening all projects being processed under the California Environmental Quality Act, including important public infrastructure projects and critically needed housing of all types, especially affordable products…. AB 1000 would create an end-run around the project’s lawful CEQA process and the multiple rulings of California’s courts. In so doing, it would not only carve out this one project for singular, unjustified treatment, but also create a precedent for similar regulatory abuse by opponents of other CEQA-approved projects in the state, including housing projects, which would exacerbate the state’s already-severe housing supply crisis.” Building Industry
Association of Southern California, Mike Balsamo, CEO to Senator Hertzberg, Letter dated July 7, 2017

“The Project has been under review for nearly a decade…. AB 1000 represents an unwarranted expansion of the state’s regulatory authority and sets a dangerous precedent to suggest that the judicial review is not the final word. The approach would establish a troubling precedent that opens the door lead to similar challenges to future water transfers, water supply infrastructure projects, or, presumably, any other project processed under CEQA that has opposition.” Three Valleys Municipal Water District, Richard Hansen, General Manager to Senator Hertzberg, Letter dated July 10, 2017

“It is flawed public policy to target any project after it has completed all its required environmental review and will have unintended consequences that may impact projects far beyond the one targeted by the bill…. This bill disregards CEQA as the final arbiter of environmental safety and sets a dangerous precedent that once any infrastructure project goes through the CEQA process, it has not necessarily complied with California environmental law…. ” East Orange County Water District, Lisa Ohlund, General Manager to Senators Hertzberg and Stone, Letter dated July 10, 2017

“The lack of clarity within the bill causes concern…. The changes to this bill have created unintended consequences that can jeopardize the Agency’s ability to effectively manage its water resources for our citizens and businesses.” Mojave Water Agency, Thomas McCarthy, General Manager to Senator Hertzberg, Letter dated July 10, 2017

“In fact, USGS has done no new analysis of the Project area and the recharge rate, let alone study or data collection, since 2000. In a recent letter to Senator Feinstein, the USGS states “we have not reviewed the current proposed Cadiz water extraction project. Similarly, we (USGS) have not conducted new site-specific studies or data collection in the Cadiz area since our 2000 review. (Letter to Senator Feinstein from William Werkheiser, Acting Director, USGS, Department of the Interior, May 5, 2017.)” Terry Foreman, TLF Consulting and Principal Hydrologist on Cadiz Water Project to Senator Hertzberg and Stone, Letter dated July 10, 2017

“The Cadiz Water Project presents no risk of any kind to the Mojave National Preserve, any of the new Monuments, the surrounding ecosystem, the springs, the flora, the fauna, or the aquifer itself.” Terry Foreman, TLF Consulting and Principal Hydrologist on Cadiz Water Project to Senator Hertzberg and Stone, Letter dated July 10, 2017

“More than any other document cited by the misinformed is a 2000 United States Geological Survey (USGS) comment letter on a previous and different iteration of this water project. In it, the USGS estimates that lower recharge rates prevail in the watershed. In fact, USGS has done no new analysis of the … recharge rate…. Even so, the out of date 17 year-old USGS estimates have been restated, again and again, by a variety of governmental agencies. These estimates are inconsistent with actual data collected since 2000 and with models run using the USGS’s own computer model created in 2008, eight years after it had made its own estimate.” Dennis Williams, President, Geosciences Support Services, Inc. to Senators Hertzberg and Stone, Letter dated July 10, 2017
“If this bill were to become law, it would not only impact this one project for singular, extreme treatment, but sets a dangerous precedent for similar regulatory abuse for any other development project in the State.” Orange County Council of Governments, Marnie O’Brien Primmer, Executive Director to Senator Hertzberg, Letter dated July 6, 2017

“AB 1000 seeks to impose an unnecessary and duplicative environmental review of the Project. Since 2009, the Project has been extensively studied, publicly-reviewed, and approved under California’s stringent environmental laws. Following a multi-year public California Environmental Quality Act (CEQA) review process, Project operations were determined to have no significant adverse environmental impacts of any kind.” Santa Margarita Water District, Dan Ferons, General Manager to Senator Hertzberg, Letter dated July 5, 2017

“At the 11th Hour, as the project is finally close to being shovel-ready and, at a time when we truly need to invest in more reliable supplies and storage, Project opponents are attempting an end-run around the Project’s lawful CEQA process and our State’s esteemed Courts. We view the Cadiz Project as a necessary component of Southern California’s water supply portfolio and will follow every law to get it done, but AB 1000 is not an appropriate law to further constrain the Project.” Inland Empire Economic Partnership, Paul Granillo, President & CEO to Senator Hertzberg, Letter dated July 5, 2017

“This last-minute gut-and-amend legislation is a retaliatory move by a few special interests with the goal of crippling the construction of the Cadiz Valley Water Project (Project).” Engineering Contractors’ Association, Wesley F. May, III, Executive Director to Senator Hertzberg, Letter dated July 5, 2017

“As you know, a reliable water supply is essential to the health of our economy and the prosperity of our members. AB 1000, a “gut and amend” bill, would damage this and unnecessarily block water and jobs in Southern California. This new, innovative project is fully CEQA approved, locally permitted, and will make a significant contribution to the local job market and economy.” Partnership for Jobs, John Hakel, Executive Director to Senator Hertzberg, Letter dated July 5, 2017

“(Cadiz Water Project) [f]acilities will be constructed entirely on private land, operations will be governed by a state-of-the-art groundwater management plan enforced by San Bernardino County, and no public lands will be impacted. AB 1000 seeks to impose an unnecessary and additional environmental review of the Project, even though the Project has already been reviewed under California law. It is for these reasons that AB 1000 is so concerning.” Garney Construction, Mike Heitman, President & CEO to Senator Hertzberg, Letter dated July 7, 2017

“At a time when Southern California truly need to invest in more reliable water supplies and storage, AB 1000 would disregard the Cadiz Water Project’s lawful CEQA process and previous upholding by the State’s Courts. Not only would this legislation unfairly target and impact the Cadiz Water Project, but would also create a precedent for similar regulatory abuse by opponents of other water transfer project in the state.” Orange County Business Council, Lucy Dunn, President & CEO to Senator Hertzberg, Letter dated July 5, 2017

“The Cadiz Project has undergone a multi-year, public CEQA review process, yielding a certified Environmental Impact Report that found the project could be operated without harming the desert
environment or aquifer. The EIR was successfully defended in six separate cases, both at Orange County Superior Court and the California Court of Appeal, so the Project has met every regulatory requirement imposed by the state. ...Despite this, AB 1000 would impose an additional two layers of regulatory review on a project that has successfully fulfilled all its California regulatory obligations. Such an unwarranted action would result in a dangerous precedent that could be used to delay or stop any new water, infrastructure, transit or housing project in the state.” South Orange County Economic Coalition, Paul Simonds, Chairman to Senator Hertzberg, Letter dated July 6, 2017

“If enacted, AB 1000 will have far reaching negative impacts on the entire Southern California water community. The transportation of water in existing conveyance facilities is already a highly regulated process, that must also follow CEQA. The creation of a new legislative layer to block the Cadiz Water Project sets a dangerous precedent that can be used to block any water conveyance project and we urge you to pull this bill from consideration immediately.” BizFed, Mike Lewis, Chair and Tracy Hernandez, Founding CEO to Senator Hertzberg, Letter dated July 5, 2017

“If the Legislature, under your bill, changes the rules for winning approval for this project, after-the-fact, it would set a dangerous precedent and create uncertainty in the marketplace. This uncertainty will certainly cause development and investment in infrastructure to come to a halt, costing California the needed benefits of infrastructure and the jobs promised. Agencies will only invest in infrastructure if they believe they can overcome the known hurdles of the review process and achieve project approvals. If that process can be changed midway, no project is safe from being upended.” CH2M, Anthony Hernandez, Director of Governmental Relations to Assemblymember Laura Friedman, Letter dated July 7, 2017

“We view the Cadiz Water Project as a necessary component of Southern California’s water supply portfolio that has followed every law and complied with every regulation. The transportation of water through existing conveyance facilities, not to mention other infrastructure development and improvement, is a highly regulated process that must comply strictly with CEQA – creating a new law that disregards those laws and processes creates instability.” Cal Steel, Marcelo Botelho Rodrigues, President & CEO to Senator Hertzberg, Letter dated July 10, 2017

“If enacted, AB 1000 will have far reaching negative effects on the entire Southern California water system.” San Gabriel Valley Economic Partnership, Jeff Allred, President & CEO to Senator Hertzberg, Letter dated July 10, 2017
July 10, 2017

The Honorable Robert Hertzberg  
Senate Committee on Natural Resources and Water  
State Capitol, Room 5046  
Sacramento CA 95814

RE: OPPOSITION to Assembly Bill 1000 (Friedman)

Dear Chairman Hertzberg:

The Southern California Association of Governments (SCAG), the nation’s largest Metropolitan Planning Organization (MPO) representing six counties, 191 cities, and 19 million residents, respectfully takes an “Oppose” position on Assembly Bill 1000 (Friedman), which seeks to create a new certification process for water conveyed in California’s water transportation systems that is both unprecedented and undefined. While the bill would negatively affect the Cadiz Valley Water Conservation, Recovery & Storage Project—a new water supply for 400,000 people in Southern California—it poses a potential threat to any development project in the state.

AB 1000 seeks to impose an unnecessary and additional environmental review of the project, even though it has already been reviewed under California law. Since 2009, the Cadiz Water Project has been extensively studied, publicly-reviewed, and approved under California’s stringent environmental laws. Following a multi-year public California Environmental Quality Act (CEQA) review process, project operations were determined to have no significant adverse environmental impacts of any kind. Separately, under the County of San Bernardino’s desert groundwater ordinance, the project was independently reviewed, constrained, and approved, again with the determination that it would not harm the area’s groundwater resources.

The CEQA approvals were challenged by opponents of the Project in 12 separate cases in Superior Court and the California Court of Appeal over four years from 2012 – 2016. Not only were all claims brought by each opponent denied in court, but the project’s Environmental Impact Report and Groundwater Management Plan were upheld—both at trial and on appeal—in their entirety. Despite these legal proceedings, the environmental documents have not required any changes by the Courts or that they be remanded back for further study.

The opponents of the Cadiz project are attempting an end-run around the project’s lawful CEQA process. If this bill becomes law, it would not only affect this project, but also set a dangerous precedent for similar regulatory abuse for any other development project in the state. We respectfully request that you oppose this bill, one that will have a chilling effect on our region’s water supply, infrastructure, and jobs.

Sincerely,

Hasan Ikhrata  
Executive Director

Hasan Ikhrata
July 10, 2017

The Honorable Robert M. Hertzberg  
Chair, Senate Committee on Natural Resources and Water  
State Capitol, Room 5046  
Sacramento CA 95814  

RE: Opposition to AB 1000 (Friedman)  

Dear Senator Hertzberg:

I am writing to express my strong opposition to AB 1000 (Friedman). This legislation seeks to create a new certification process for water conveyed in California’s water transportation systems, even though this process is already subject to review in accordance with the California Environmental Quality Act (CEQA) and terms and conditions in the Water Code. While the bill is designed to target one specific project, it has far reaching impacts on other water purveyors in the area and poses a potential threat to any infrastructure project in California, a direction that is unprecedented.

On behalf of the Twentynine Palms Water District I wish to speak out against this legislation from the perspective of law and public policy.

AB 1000, a “gut and amend” bill, is circumventing regular order and therefore usurping the public’s opportunity to properly comment on legislation that could create a precedent with far-reaching impacts to all Californians. It is contrary to California law and policy to target any one specific project with legislation and create ex post facto law to regulate it, especially in this instance when a Project has completed CEQA review and been certified in Court. Further, this legislation seems hastily written and the subject of incomplete review and analysis. Indeed, the bill posted on a holiday and the public was given just 24 hours to submit opposition letters to the committee for the record – a woefully short window of opportunity to assess a bill’s impacts.

AB 1000 seeks to impose additional state environmental review on a project that has already undergone environmental review under the California Environmental Quality Act (CEQA). If a project has been publicly-reviewed and approved under CEQA, but there are questions about the validity of that environmental review, our court system is
available for resolving those questions. This bill disregards CEQA as the final arbiter of environmental safety and sets a dangerous precedent ripe for abuse.

AB 1000 was written to serve the interests of a specific project’s opponents who are using the legislature to override CEQA and judicial system determinations that they lost in Court. If the legislation becomes law, then every development in the State – pipelines, roads, homes, schools, hospitals and water treatment facilities - will always be at risk. A project’s proponents, whether private companies or government entities, would never know whether or when their review process has concluded, whether or when their project has received definitive, dependable approval. If this is the direction in which the Legislature would like to move, then at the very least it should take such a matter up as a two-year bill – not a bill hastily assembled in the dark of night over the Independence Day holiday break.

Finally, with respect specifically to water projects, the use of water conveyance facilities is governed by the wheeling statutes in the California Water Code. The legislative history of the wheeling statutes makes clear that they were written to address the inability of water conveyors to use available capacity in publicly owned transportation facilities, facilities like the Colorado River Aqueduct or the Morongo and Mojave River pipelines. This bill would frustrate the purpose of the wheeling statutes and make it more difficult to move water. This could have profound effects on communities in constant need that cannot afford to construct their own facilities and, equally important, in times of drought.

AB 1000 is bad law and bad policy for California, setting dangerous precedent that could affect all infrastructure development and improvement projects in the state. I urge you to oppose this bill.

Sincerely,

Ray Kolisz
General Manager

72401 Hatch Road, Twentynine Palms, California 92277 • 760-367-7546 • Fax 760-367-6612 • www.29palmswater.org
July 10, 2017

Hon. Robert Hertzberg
Senate Committee on Natural Resources and Water, Chair
State Capitol, Room 5046
Sacramento CA 95814

Hon. Jeff Stone
Senate Committee on Natural Resources and Water, Vice Chair
State Capitol, Room 5046
Sacramento CA 95814

RE: Opposition to AB 1000 (Friedman)

Dear Chairman Hertzberg and Vice Chairman Stone:

The Cucamonga Valley Water District wishes to express our opposition to AB 1000 (Friedman). This legislation seeks to create a new certification process for water conveyed in California’s water transportation systems, something that is unprecedented. While the bill targets one specific project, it sets a dangerous precedent and poses a potential threat to any infrastructure project in the state.

AB 1000, a “gut and amend” bill, is circumventing regular order and therefore usurping the public’s opportunity to properly weigh in on an bill that could create a precedent with far-reaching impacts to all Californians. It is contrary to public policy to target any project after it has completed all its required environmental review. This legislation has not undergone proper analysis and review; as a consequence, it will have unintended consequences that may impact projects far beyond the one targeted by the bill.

AB 1000 seeks to impose additional state environmental review on a project that has already undergone environmental review under the California Environmental Quality Act (CEQA). If a project has been publicly-reviewed and approved under CEQA, but there are questions about the validity of that environmental review, our court system is available for resolving those questions. This bill disregards CEQA as the final arbiter of environmental safety and sets a dangerous precedent that once any infrastructure project goes through the CEQA process; it has not necessarily complied with California environmental law.
AB 1000 is written to serve the interests of a specific project’s opponents who are using the legislature to override CEQA and judicial system determinations. If this bill were to become law, it would not only impact one specific project for singular treatment, something that in and of itself is an abuse of the legislative system, but it would also set a dangerous precedent and have a powerfully negative impact on any infrastructure project in California. A project’s proponents, whether private companies or government entities, would never know whether or when their review process has concluded, whether or when their project has received definitive, dependable approval.

In addition, with respect to water projects, the use of water conveyance facilities is governed by the wheeling statutes in the California Water Code. The legislative history of the wheeling statutes makes clear that they were written to address the inability of water conveyers to use available capacity in publicly owned transportation facilities, facilities like the Colorado River Aqueduct. This bill would frustrate the purpose of the wheeling statutes and make it more difficult to move water. This could have profound effects on communities in need and in times of drought.

AB 1000 is bad policy for California, setting dangerous precedent that could affect all infrastructure development and improvement projects in the state. I urge you to oppose this bill.

Sincerely,

Eric Grubb, Principal Management Analyst
July 10, 2017

Hon. Robert Hertzberg

Senate Committee on Natural Resources and Water, Chair

State Capitol, Room 5046

Sacramento CA 95814

RE: AB 1000 (Friedman) Water conveyance -- OPPOSE

Dear Chairman Hertzberg:

California Business Properties Association (CBPA) opposes AB 1000 (Friedman), legislation that seeks to create an unprecedented certification process for water conveyed in California’s water transportation systems. The bill targets one specific project, sets a dangerous precedent, and poses a potential threat to other infrastructure projects.

AB 1000 is seeking to stop a project by imposing new statutory requirements after it has completed all its required environmental review under the California Environmental Quality Act (CEQA). If a project has been publicly-reviewed and approved under CEQA, but there are questions about that environmental review, our court system is the appropriate place to resolve those questions.

More egregiously, the bill disregards CEQA’s fundamental purpose of completing environmental review in one process and sets a dangerous precedent that a project may be re-opened and again undergo additional review never contemplated under California environmental law. Consequently, the unintended consequences may impact projects far beyond the one project targeted by the bill thus creating an unanticipated risk for many of our members.

If this bill were to become law, it would not only impact one specific project for singular treatment, but would also set a dangerous precedent and have a powerfully negative impact on any infrastructure project in California as project proponents would never know whether or when their review process has concluded.

CBPA is the designated legislative advocate for the International Council of Shopping Centers (ICSC), the California Chapters of the Commercial Real Estate Development Association (NAIOP), the Building Owners and Managers Association of California (BOMA), the Retail Industry Leaders Association (RILA), the Institute of Real Estate Management (IREM), and the Association of Commercial Real Estate – Northern and Southern California (ACRE) the National Association of Real Estate Investment Trusts (NAREIT), AIR Commercial Real Estate Association (AIR CRE), and the California Association for Local Economic Development (CALED). CBPA currently represents over 10,000 members, and is the largest consortium of commercial real estate in California.

For these reasons, we urge you to vote NO on AB 1000.

Sincerely,

Matthew Hargrove
Sr. Vice President

cc: Vice Chairman Stone and members, Senate Cmte on Natural Resources and Water Assemblymember Friedman
July 10, 2017

Sen. Robert Hertzberg
Senate Committee on Natural Resources and Water
State Capitol, Room 5046
Sacramento CA 95814

Hon. Jeff Stone
Senate Committee on Natural Resources and Water, Vice Chair
State Capitol, Room 5046
Sacramento CA 95814

RE: Opposition to AB 1000 (Friedman)

Dear Chairman Hertzberg and Vice Chairman Stone:

I am writing to express my strong opposition to AB 1000 (Friedman). As a hydrogeologist who worked on the Cadiz Valley Water Conservation, Recovery & Storage Project (Cadiz Water Project or Project), I offer a unique technical perspective to demonstrate that this legislation is misguided as it relates to the Water Project. It is also my professional opinion that the new certification process for conveying water through California’s water transportation systems this legislation seeks to create is unprecedented. I take issue with the bill’s targeting of the Cadiz Water Project, a safe, new water supply for 400,000 people in Southern California, as well as the dangerous precedent it sets and the threat it poses to any water infrastructure project in the state.

I have been working as a hydrogeologist for over 37 years in California and the Southwest. Until my retirement from CH2M a couple of years ago, I was Senior Hydrogeologist, Vice President in the Thousand Oaks office. My technical expertise is in the management and development of groundwater resources, including water supply development, conjunctive use of surface waters, groundwater, and recycled water, remediation of contaminated groundwater, and regulatory support. I have extensive experience in field investigation methods and developed and applied complex numerical models for the simulation of groundwater flow and solute transport.

Because I was principal hydrogeologist responsible for the Final Environmental Impact Report ("FEIR") for the Cadiz Water Project, I have tracked the patently false claims made in articles and opinion pieces published in papers throughout California. The information contained in these pieces about the Cadiz area watershed recharge rates and supposed threats to the surrounding
ecosystem is inaccurate, and I would like to take this opportunity to correct the record to show how misguided AB 1000 is.

More than any other document cited by the misinformed is a 2000 United States Geological Survey (USGS) comment letter on a previous and different iteration of this water project. In it, the USGS estimates that lower recharge rates prevail in the watershed. In fact, USGS has done no new analysis of the Project area and the recharge rate, let alone study or data collection, since 2000. In a recent letter to Senator Feinstein, the USGS states “we have not reviewed the current proposed Cadiz water extraction project. Similarly, we (USGS) have not conducted new site-specific studies or data collection in the Cadiz area since our 2000 review.” Letter to Senator Feinstein from William Werkheiser, Acting Director, USGS, Department of the Interior, May 5, 2017.

Even so, the 17 year-old USGS estimates have been restated, again and again, by a variety of governmental agencies like the Mojave National Preserve as well as environmental organizations (see the EIR for this Project in 2012, Vol. 6. pages 3-1-1 to 3). These estimates are inconsistent with actual data collected since 2000 and with models run using the USGS’s own computer model created in 2008, eight years after it had made its own estimate.

The scientific basis for the design of the current project is that groundwater is evaporating from the watershed at the same rate it is recharging the basin (as shown by a study conducted by the Desert Research Institute). The Project will capture this water before it has a chance to evaporate and provide it to 400,000 people living in the seven-county area of southern California. That is, as pointed out at length in the EIR, the recharge and discharge rates for the surrounding watershed were re-calculated using the newer USGS model Infil3.0, additional new science, and site-specific field data to arrive at the more accurate, current recharge estimate of 32,400 acre-feet per year, an estimate that was balanced with the measured evaporation rate from the Cadiz and Bristol Dry Lakes, the terminal discharge points for groundwater (EIR, Vol. 6 page 3.1-3; FEIR, Vol. 6, page 3.1.10).

The inaccurate recharge estimates being promoted are likely based on the one offered in the Mojave National Preserve letter. That estimate misinterprets the evaporation (discharge) data from the Dry Lakes, the only outlet for water in this closed system and the point of evaporation. This misinterpretation is due to attempts to try to extrapolate evaporation from other desert dry lakes to the two dry lakes in the Cadiz area, without doing any new field measurements or analysis. But the current and more representative recharge rate has been put to rest by more recent modeling and finally by the Desert Research Institute’s evaporation study of these dry lakes, the only such study of these two dry lakes.

The Cadiz Water Project presents no risk of any kind to the Mojave National Preserve, any of the new Monuments, the surrounding ecosystem, the springs, the flora, the fauna, or the aquifer itself (FEIR, Vol 6, Page 3-1-4). Numerous studies, including the first geologic mapping of the area by
Dr. Miles Kenney and new estimates of the amount of water in recharge by myself and CH2M (over 20 million acre-feet of water, making this aquifer system the size of Lake Mead, our nation’s largest reservoir), make up the 7,000-page EIR. Robust peer-review, study, and analysis back up our assessments that the Cadiz Water Project operations present no threat whatsoever to the Mojave Desert (FEIR, Vol. 6, Page 3-1-3 to 4).

The Cadiz Water Project is an innovative water project that can safely deliver a new 50-year water supply to southern California residents, businesses, farms, hospitals, and schools, and, in a second phase, provide up to 1 million acre-feet of new groundwater storage. Construction will be entirely privately financed – no public subsidies or tax dollars are required to finance construction – and it will create and support nearly 6,000 jobs, 10% of which are reserved for our nation’s veterans.

The Project is a public-private partnership between Cadiz Inc. and public water providers in southern California lead by Santa Margarita Water District. Facilities will be constructed entirely on private land and no public lands will be impacted. The Project has earned bi-partisan support of local, state and federal elected officials, as well as the support of the labor, business, agriculture, and thousands of water users across the region.

AB 1000 seeks to impose an unnecessary and additional environmental review of the Project, even though the Project has already been reviewed under California law. As shown above, Project operations have been determined to have no significant adverse environmental impacts of any kind. Separately, under the County of San Bernardino’s desert groundwater ordinance, the Project was independently reviewed, constrained and then also approved, again with the determination that it would not harm the area’s groundwater resources.

The CEQA approvals were challenged by opponents of the Project in 12 separate cases in California Superior Court and in the Court of Appeal over a four-year period from 2012 to 2016. Every claim from each opponent in every case was denied in Court; and the Project’s Environmental Impact Report and groundwater management plan were upheld in their entireties. Not one word in the environmental documents has been changed by the courts or remanded for further study.

It is for these reasons that AB 1000 is so concerning. At the 11th hour, as the Cadiz Water Project is finally close to being shovel-ready and, at a time when we truly need to invest in our water infrastructure system, Project opponents are attempting an end-run around the Project’s lawful CEQA process and California’s esteemed Courts. If this bill were to become law, it would not only impact this one project for singular, extreme treatment, but it would set a dangerous precedent for similar regulatory abuse of any other infrastructure project in the state.

The Cadiz Water Project is a necessary component of Southern California’s water supply portfolio that has followed every law and complied with every regulation. In fact, these existing
regulations have done their job as intended by lawmakers, forcing project designers to improve the Project to the point that there will be no negative impacts. AB 1000 will unnecessarily chill water and other infrastructure development and improvements and curtail the creation of tens of thousands of American jobs, including 6,000 jobs at Cadiz. I urge you to oppose this bill.

Sincerely,
TLF Consulting, LLC

Terry Foreman, PG, CHg
Manager
July 10, 2017

The Honorable Robert M. Hertzberg
California State Senate
State Capitol, Room 5046
Sacramento, CA 95814

Re: AB 1000 (Friedman): Water conveyance: use of facility with unused capacity – OPPOSE
Senate Natural Resources & Water Committee – July 11, 2017

Dear Senator Hertzberg:

The Southern California Water Committee, representing a broad spectrum of both public and private sector water leaders, must respectfully express our opposition to AB 1000 (Friedman).

This legislation seeks to create a new certification process for water transfers that establishes very troubling precedents. While the bill targets the Cadiz Valley Water Conservation, Recovery & Storage Project (“the Cadiz Project”), it poses a potential threat to any new water transfer project in the state.

Procedurally, AB 1000 is the introduction of a completely new bill in the second house after established legislative deadlines. It proposes providing new authority to the State Lands Commission, in consultation with the Department of Fish and Wildlife, to regulate water transfers subsequent to California Environmental Quality Act and federal National Environmental Policy Act processes. It stipulates very specific geographic requirements that are limited to the Cadiz Project, but it could encourage other water project opponents to introduce future legislation to add new conditions applicable to other water infrastructure or transfer projects to delay or stop their approval.

For these important policy, procedural and precedent reasons, the Southern California Water Committee, except for the Metropolitan Water District of Southern California (which abstained), must respectfully OPPOSE AB 1000.

Sincerely,

Charles Wilson
Executive Director
Southern California Water Committee
July 6, 2017

The Honorable Robert Hertzberg  
Chair, Senate Committee on Natural Resources and Water  
1020 N Street, Room 5046  
Sacramento, CA 95814

RE:  AB 1000 (Friedman) – Strong Oppose

Dear Senator Hertzberg:

On behalf of the State Building and Construction Trades Council, AFL-CIO, I write to express our strong opposition to AB 1000 (Friedman).

In its amended form, the bill would threaten the Cadiz Valley Water Project that would benefit the Southern California regional economy. The project would recover and convey 50,000 acre feet of water per year that would otherwise be lost to evaporation. It would also bank up to one million acre feet of water at a time.

During construction of the project, we anticipate that it would create good-paying jobs for the workers that we represent. The project already is CEQA-approved. The effort to kill it by restricting water transfers from specified areas should be rejected.

For those reasons, we respectfully request your opposition to this legislation. Thank you for your consideration.

Sincerely,

CESAR DIAZ  
Legislative Director

CD:bp  
opelu#29/afl-cio

cc: Members, Senate Natural Resources Committee  
The Honorable Laura Friedman, California State Assembly
July 5, 2017

The Honorable Robert M. Hertzberg  
California State Senate  
State Capitol, Room 5046  
Sacramento, CA 95814

Re: AB 1000 (Friedman): Water conveyance: use of facility with unused capacity – OPPOSE  
Senate Natural Resources & Water Committee – July 11, 2017

Dear Senator Hertzberg:

On behalf of the Santa Margarita Water District (“SMWD”) I am writing to express our strong opposition to AB 1000 (Friedman). This “gut and amend” legislation seeks to create a new certification process for water conveyed in California’s water transportation systems, which is both unprecedented and undefined. While the bill is targeted to negatively impact the Cadiz Valley Water Conservation, Recovery & Storage Project (“Water Project”), a new water supply for 400,000 people in Southern California, it poses a potential threat to any new water transfer project in the state.

The Water Project is an innovative water initiative that will safely deliver a new 50-year water supply to southern California residents, businesses, farms, hospitals, and schools, and, in a second phase, provide up to 1 million acre-feet of new groundwater storage capacity. Construction will be entirely privately financed – no public subsidies or tax dollars are required to finance construction – and it will create and support up to 6,000 jobs for our regional Southern California economy. At least 10% of jobs have been reserved for our nation’s veterans.

The Project is a public–private partnership between Cadiz Inc., the largest private landowner and agricultural interest in the area, and public water providers in Southern California, (including SMWD). Facilities will be constructed entirely on private land and operations will be governed by a state-of-the-art groundwater management plan enforced by San Bernardino County. We are proud to say the Project has earned bi-partisan support of local, state and federal elected officials, as well as the support of the labor, business, agriculture and thousands of water users across the region.

AB 1000 seeks to impose an unnecessary and duplicative environmental review of the Project. Since 2009, the Project has been extensively studied, publicly-reviewed, and approved under California’s stringent environmental laws. Following a multi-year public California Environmental Quality Act (CEQA) review process, Project operations were determined to have no significant adverse environmental impacts of any kind. Separately, under the County of San Bernardino’s desert groundwater ordinance, the Project was independently reviewed, constrained and then also approved, again with the determination that it would not harm the area’s groundwater resources.
The CEQA approvals were challenged by opponents of the Project in 12 separate cases in Superior Court and the California Court of Appeal over four years from 2012 – 2016. Every claim brought by each opponent in every case was denied in Court; and the Project’s Environmental Impact Report and Groundwater Management Plan were upheld in their entirety, both at trial and on appeal. Not one word in the environmental documents has been changed by the Courts or remanded back for further study.

It is for these reasons that AB 1000 is so concerning. At the 11th Hour, as the project is finally close to being shovel-ready and, at a time when we truly need to invest in more reliable supplies and storage, Project opponents are attempting an end-run around the Project’s lawful CEQA process and our State’s esteemed Courts, which would not only carve out this one project for singular, extreme treatment but also create a precedent for similar regulatory abuse for any other water transfer project in the state. We view the Project as a necessary component of Southern California’s water supply portfolio that has followed every law and complied with every regulation, so AB 1000 is not an appropriate law to further constrain the Project.

If enacted, AB 1000 will have far reaching negative impacts on the entire California water community. The transportation of water in existing conveyance facilities is already a highly-regulated process, that must also follow CEQA. The creation of a new legislative layer to block the Cadiz Water Project sets a dangerous precedent that can be used to block any water conveyance project. We urge you to oppose this bill and pull it from consideration.

Sincerely,

Daniel R. Ferons
General Manager
July 5, 2017

The Hon. Robert Hertzberg  
Chair, Senate Committee on Natural Resources and Water  
State Capitol, Room 5046  
Sacramento, CA 95814

RE: AB 1000 (Friedman) - OPPOSE

Dear Senator Hertzberg:

On behalf of the Southern California District Council of Laborers, a chartered district of the Laborers' International Union of North America (LIUNA), I am writing to express our strong opposition to AB 1000 (Friedman), as recently amended on July 3rd. This last-minute gut-and-amend legislation is a retaliatory move by a few special interests with the goal of crippling the construction of the Cadiz Valley Water Project (Project), which would provide a total of 2.5 million acre-feet of new, reliable water over the next 50 years to Southern California – enough to meet the annual needs of 100,000 existing homes or as many as 250,000 new homes with modern water conservation features.

Specifically, AB 1000 targets the Project in a completely inappropriate fashion by attempting to override duly agreed-upon existing law governing water conveyance. It would prohibit, in the vicinity of the Project area only, a transferor of water from using a water conveyance facility that has unused capacity to transfer water from a groundwater basin underlying desert lands, unless the State Lands Commission, in consultation with the Department of Fish and Wildlife, finds that the transfer of the water will not adversely affect the natural or cultural resources of those federal and state lands.

As you know, a reliable water supply is essential to the health of our economy and the prosperity of our members. AB 1000, a “gut and amend” bill, would damage this and unnecessarily block water and jobs in Southern California. This new, innovative project is fully CEQA approved, locally permitted, and will make a significant contribution to the local job market and economy. Project construction alone is expected to create and support nearly 6,000 highly-skilled, high-wage jobs during construction of both phases, including dedicated on-site family-supporting jobs to local trades and veterans.

We are joining the broad coalition of labor, construction, business and water organizations in opposition to AB 1000. We hope you will join us by blocking the advancement of this hastily assembled bill and also rejecting this measure when it is heard in the committee. We need to put our community to work as soon as possible and ensure our region can enjoy the benefits of greater water supply reliability without further delay.

Sincerely,

Armando Esparza, Business Manager  
Southern California District Council of Laborers

CC: Members, Senate Natural Resources Committee
July 5, 2017

The Hon. Robert Hertzberg  
Chair, Senate Committee on Natural Resources and Water  
State Capitol, Room 5046  
Sacramento, CA 95814

RE: Opposition to AB 1000 (Friedman)

Dear Chairman Hertzberg:

[ 

The Inland Empire Economic Partnership (IEEP) is writing to express its strong opposition to AB 1000 (Friedman). This “gut and amend” legislation seeks to create a new certification process for water conveyed in California’s water transportation systems, which is both unprecedented and undefined, and would negatively impact the Cadiz Valley Water Conservation, Recovery & Storage Project (Cadiz Water Project), a new water supply for 400,000 people in Southern California.

IEEP is dedicated to bringing jobs, economic opportunities and a better quality of life to the residents of San Bernardino and Riverside counties. We are the Inland Empire’s largest economic development agency, founded more than 30 years ago and we serve to enhance the economic climate of the region and grow job creation in Riverside and San Bernardino counties. While this is still our ultimate goal, we now look at the bigger picture, focusing on improving the overall quality of life in the Inland Empire.

The Cadiz Water Project is an innovative water project that can safely deliver a new 50-year water supply to southern California residents, businesses, farms, hospitals, and schools, and, in a second phase, provide up to 1 million acre-feet of new groundwater storage capacity. Construction will be entirely privately financed – no public subsidies or tax dollars are required to finance construction – and it will create and support up to 6,000 jobs for our regional Southern California economy. At least 10% of jobs have been reserved for our nation’s veterans.

The Project is a public–private partnership between Cadiz Inc., the largest private landowner and agricultural interest in the area, and public water providers in Southern California, (including SMWD). Facilities will be constructed entirely on private land and operations will be governed by a state-of-the-art groundwater management plan enforced by San Bernardino County.

Since 2009, the Project has been extensively studied, publicly-reviewed, and approved under California’s stringent environmental laws since 2009. Following a multi-year public California Environmental Quality Act (CEQA) review process, Project operations were determined to have no
significant adverse environmental impacts of any kind. Separately, under the County of San
Bernardino’s groundwater ordinance, the Project was independently reviewed, constrained and then
also approved, again having determined that it would not harm the area’s groundwater resources.
The CEQA approvals were challenged by opponents of the Project in 12 separate cases in Superior
Court and the California Court of Appeal over 4 years from 2012 – 2016. Every claim brought by each
opponent in every case was denied in Court; and the Project’s Environmental Impact Report and
Groundwater Management Plan were upheld in their entirety, both at trial and on appeal. Not one
word in the environmental documents has been changed by the Courts or remanded back for further
study.

It is for these reasons that AB 1000 is so concerning. At the 11th Hour, as the project is finally close
to being shovel-ready and, at a time when we truly need to invest in more reliable supplies and
storage, Project opponents are attempting an end-run around the Project’s lawful CEQA process and
our State’s esteemed Courts. We view the Cadiz Project as a necessary component of Southern
California’s water supply portfolio and will follow every law to get it done, but AB 1000 is not an
appropriate law to further constrain the Project.

If enacted, AB 1000 will have far reaching negative impacts on the entire Southern California water
community. The transportation of water in existing conveyance facilities is already a highly regulated
process that must also follow CEQA. The creation of a new legislative layer to block the Cadiz Water
Project sets a dangerous precedent that can be used to block any water conveyance project and we
urge you to pull this bill from consideration immediately.

Sincerely,

Paul Granillo
President & CEO
July 5, 2017

The Hon. Robert Hertzberg
Chair, Senate Committee on Natural Resources and Water
State Capitol, Room 5046
Sacramento, CA 95814

RE: AB 1000 (Friedman) - OPPOSE

Dear Chair Hertzberg:

On behalf of the Engineering Contractors’ Association, I am writing to express our strong opposition to AB 1000 (Friedman), as recently amended on July 3rd. This last-minute gut-and-amend legislation is a retaliatory move by a few special interests with the goal of crippling the construction of the Cadiz Valley Water Project (Project), which would provide a total of 2.5 million acre-feet of new, reliable water over the next 50 years to Southern California – enough to meet the annual needs of 100,000 existing homes or as many as 250,000 new homes with modern water conservation features.

Specifically, AB 1000 targets the Project in a completely inappropriate fashion by attempting to override duly agreed-upon existing law governing water conveyance. It would prohibit, in the vicinity of the Project area only, a transferor of water from using a water conveyance facility that has unused capacity to transfer water from a groundwater basin underlying desert lands, unless the State Lands Commission, in consultation with the Department of Fish and Wildlife, finds that the transfer of the water will not adversely affect the natural or cultural resources of those federal and state lands.

As you know, a reliable water supply is essential to the health of our economy and the prosperity of our members. AB 1000, a “gut and amend” bill, would damage this and unnecessarily block water and jobs in Southern California. This new, innovative project is fully CEQA approved, locally permitted, and will make a significant contribution to the local job market and economy. Project construction alone is expected to create and support nearly 6,000 highly-skilled, high-wage jobs during construction of both phases, including dedicated on-site family-supporting jobs to local trades and veterans.

We are joining the broad coalition of labor, construction, business and water organizations opposing AB 1000. We hope you will join us by blocking the advancement of this hastily assembled bill and also rejecting this measure when it is heard in the committee. We need to put our community to work as soon as possible and ensure our region can enjoy the benefits of greater water supply reliability without further delay.

Sincerely,

Wesley F. May, III
Executive Director

CC: Members, Senate Committee on Natural Resources and Water

(714) 937-5000 Fax (714) 937-5030 Email: info@ecasocal.org
2190 S. Towne Centre Pl., Suite 310, Anaheim, CA 92806 www.ecasocal.org
July 5, 2017

The Hon. Robert Hertzberg  
Chair, Senate Committee on Natural Resources and Water  
State Capitol, Room 5046  
Sacramento, CA 95814

RE: AB 1000 (Friedman) - OPPOSE

Dear Senator Hertzberg:

On behalf of the International Union of Operating Engineers Local 12, I am writing to express our strong opposition to AB 1000 (Friedman), as recently amended on July 3rd. This last-minute gut-and-amend legislation is a retaliatory move by a few special interests with the goal of crippling the construction of the Cadiz Valley Water Project (Project), which would provide a total of 2.5 million acre-feet of new, reliable water over the next 50 years to Southern California – enough to meet the annual needs of 100,000 existing homes or as many as 250,000 new homes with modern water conservation features.

Specifically, AB 1000 targets the Project in a completely inappropriate fashion by attempting to override duly agreed-upon existing law governing water conveyance. It would prohibit, in the vicinity of the Project area only, a transferor of water from using a water conveyance facility that has unused capacity to transfer water from a groundwater basin underlying desert lands, unless the State Lands Commission, in consultation with the Department of Fish and Wildlife, finds that the transfer of the water will not adversely affect the natural or cultural resources of those federal and state lands.

As you know, a reliable water supply is essential to the health of our economy and the prosperity of our members. AB 1000, a “gut and amend” bill, would damage this and unnecessarily block water and jobs in Southern California. This new, innovative project is fully CEQA approved, locally permitted, and will make a significant contribution to the local job market and economy. Project construction alone is expected to create and support nearly 6,000 highly-skilled, high-wage jobs during construction of both phases, including dedicated on-site family-supporting jobs to local trades and veterans.

We are joining the broad coalition of labor, construction, business and water organizations opposing AB 1000. We hope you will join us by blocking the advancement of this hastily assembled bill and also rejecting this measure when it is heard in the committee. We need to put our community to work as soon as possible and ensure our region can enjoy the benefits of greater water supply reliability without further delay.

Sincerely,

Ronald J. Sikorski, Business Manager  
International Union of Operating Engineers, Local 12

CC: Members, Senate Committee on Natural Resources and Water
July 5, 2017

The Hon. Robert Hertzberg  
Chair, Senate Committee on Natural Resources and Water  
State Capitol, Room 5046  
Sacramento, CA 95814  

RE: AB 1000 (Friedman) - OPPOSE

Dear Senator Hertzberg:

On behalf of the Southern California Partnership For Jobs, I am writing to express our strong opposition to AB 1000 (Friedman), as recently amended on July 3rd. This last-minute gut-and-amend legislation is a retaliatory move by a few special interests with the goal of crippling the construction of the Cadiz Valley Water Project (Project), which would provide a total of 2.5 million acre-feet of new, reliable water over the next 50 years to Southern California - enough to meet the annual needs of 100,000 existing homes or as many as 250,000 new homes with modern water conservation features.

Specifically, AB 1000 targets the Project in a completely inappropriate fashion by attempting to override duly agreed-upon existing law governing water conveyance. It would prohibit, in the vicinity of the Project area only, a transfer of water from using a water conveyance facility that has unused capacity to transfer water from a groundwater basin underlying desert lands, unless the State Lands Commission, in consultation with the Department of Fish and Wildlife, finds that the transfer of the water will not adversely affect the natural or cultural resources of those federal and state lands.

As you know, a reliable water supply is essential to the health of our economy and the prosperity of our members. AB 1000, a “gut and amend” bill, would damage this and unnecessarily block water and jobs in Southern California. This new, innovative project is fully CEQA approved, locally permitted, and will make a significant contribution to the local job market and economy. Project construction alone is expected to create and support nearly 6,000 highly-skilled, high-wage jobs during construction of both phases, including dedicated on-site family-supporting jobs to local trades and veterans.
We are joining the broad coalition of labor, construction, business and water organizations opposing AB 1000. We hope you will join us by blocking the advancement of this hastily assembled bill and also rejecting this measure when it is heard in the committee. We need to put our community to work as soon as possible and ensure our region can enjoy the benefits of greater water supply reliability without further delay.

Sincerely,

[Signature]

John Hakel, Executive Director
Southern California Partnership For Jobs

CC: Members, Senate Committee on Natural Resources and Water
July 7, 2017

Sen. Robert Hertzberg  
Senate Committee on Natural Resources and Water  
State Capitol, Room 5046  
Sacramento CA 95814

RE: Opposition to AB 1000 (Friedman)

Dear Chairman Hertzberg:

Garney Construction is writing to express its strong opposition to AB 1000 (Friedman). This “gut and amend” legislation seeks to create a new certification process for water conveyed in California’s water transportation systems, which is both unprecedented and undefined. While the bill is targeted to negatively impact the Cadiz Valley Water Conservation, Recovery & Storage Project (Cadiz Water Project or Project), a safe, new water supply for 400,000 people in Southern California, it sets a dangerous precedent and poses a potential threat to any infrastructure project in the state.

Garney Construction is one of the nation’s leading water and wastewater contractors, with 1,250 employee-owners currently building work in 18 different states, including several pipeline projects in California. The Engineering News-Record (ENR) ranks Garney #1 in Water Transmission Lines and #3 in Water Supply. Because of our leadership in water pipeline construction and dedication to being a partner in water supply solutions, we have followed with interest the Cadiz Water Project.

The Cadiz Water Project is an innovative water project that can safely deliver a new 50-year water supply to southern California residents, businesses, farms, hospitals, and schools, and, in a second phase, provide up to 1 million acre-feet of new groundwater storage. Construction will be entirely privately financed – no public subsidies or tax dollars are required to finance construction – and it will create and support up to 6,000 jobs for the regional Southern California economy. At least 10% of jobs have been reserved for our nation’s veterans.

The Project is a public-private partnership between Cadiz Inc., the largest private landowner and agricultural interest in the area, and public water providers in Southern California. Facilities will be constructed entirely on private land, operations will be governed by a state-of-the-art groundwater management plan enforced by San Bernardino County, and no public lands will be impacted. The Project has earned bi-partisan support of local, state, and federal elected officials as well as the support of the labor, business, agriculture, and thousands of water users across the region.

AB 1000 seeks to impose an unnecessary and additional environmental review of the Project, even though the Project has already been reviewed under California law. Since 2009, the Project has been extensively studied,
publicly reviewed, and approved under California’s stringent environmental laws. Following a multi-year public California Environmental Quality Act (CEQA) review process, Project operations were determined to have no significant adverse environmental impacts of any kind. Separately, under the County of San Bernardino’s desert groundwater ordinance, the Project was independently reviewed, constrained, and then also approved, again with the determination that it would not harm the area’s groundwater resources.

The CEQA approvals were challenged by opponents of the Project in 12 separate cases in California Superior Court and in the Court of Appeal over a four-year period from 2012 to 2016. Every claim from each opponent in every case was denied in Court; and the Project’s Environmental Impact Report and groundwater management plan were upheld in their entireties. Not one word in the environmental documents has been changed by the courts or remanded for further study.

It is for these reasons that AB 1000 is so concerning. At the eleventh hour, as the Cadiz Water Project is finally close to being shovel-ready and, at a time when we truly need to invest in our water infrastructure system, Project opponents are attempting an end-run around the Project’s lawful CEQA process and California’s esteemed Courts. If this bill were to become law, it would not only impact this one project for singular, extreme treatment, but it would set a dangerous precedent for similar regulatory abuse of any other infrastructure project in the state, whether a water project like California Fix, new housing, a homeless shelter, highway improvement, or development of a high-speed rail.

We view the Cadiz Water Project as a necessary component of Southern California’s water supply portfolio that has followed every law and complied with every regulation. The transportation of water through existing conveyance facilities, not to mention other infrastructure development and improvement, is a highly regulated process that must comply strictly with CEQA – creating a new law that disregards those laws and processes is bad policy. AB 1000 will unnecessarily chill water and other infrastructure development and improvements and curtail the creation of tens of thousands of American jobs, including 6,000 jobs at Cadiz. We urge you to oppose this bill.

Sincerely,

GARNEY CONSTRUCTION

[Signature]

Mike Heitmann
President & CEO
July 5, 2017

The Honorable Robert Hertzberg
Chair, Senate Committee on Natural Resources and Water
State Capitol, Room 5046
Sacramento CA 95814

RE: AB 1000 (FRIEDMAN): WATER CONVEYANCE: USE OF FACILITY WITH UNUSED CAPACITY – OPPOSE

Dear Chairman Hertzberg:

Orange County Business Council (OCBC) is writing to express its opposition to AB 1000 (Friedman). This “gut and amend” legislation seeks to create a new certification process for water conveyed in California’s water transportation systems, which is both unprecedented and undefined. While the bill is targeted to negatively impact the Cadiz Valley Water Conservation, Recovery & Storage Project (Cadiz Water Project), a new water supply for 400,000 people in Southern California that OCBC supports, it also poses a potential threat to any new water transfer project in the state.

AB 1000 is of great concern because it seeks to impose an unnecessary, unprecedented and duplicative environmental review of the Cadiz Water Project. At a time when Southern California truly need to invest in more reliable water supplies and storage, AB 1000 would disregard the Cadiz Water Project’s lawful CEQA process and previous upholding by the State’s Courts. Not only would this legislation unfairly target and impact the Cadiz Water Project, but would also create a precedent for similar regulatory abuse by opponents of other water transfer project in the state.

AB 1000 is an inappropriate law that would further constrain a much-needed new water supply project while having far reaching negative impacts on the entire California water community. The transportation of water in existing conveyance facilities is already a highly regulated process that must comply with CEQA. The creation of a new legislative layer to delay the Cadiz Water Project sets a dangerous precedent that must be stopped. **We therefore, we respectfully request you to pull this bill from consideration.**

Respectfully,

Lucy Dunn
President and CEO

cc: Members of the Senate Committee on Natural Resources and Water
The Honorable Laura Friedman
Sen. Robert Hertzberg  
Senate Committee on Natural Resources and Water  
State Capitol, Room 5046  
Sacramento CA 95814  

RE: Opposition to AB 1000 (Friedman)  

Dear Chairman Hertzberg:

Roscoe Moss Company is writing to express its strong opposition to AB 1000 (Friedman). This “gut and amend” legislation seeks to create a new certification process for water conveyed in California’s water transportation systems, which is both unprecedented and undefined. While the bill is targeted to negatively impact the Cadiz Valley Water Conservation, Recovery & Storage Project (Cadiz Water Project or Project), a safe, new water supply for 400,000 people in Southern California, it sets a dangerous precedent and poses a potential threat to any infrastructure project in the state.

Roscoe Moss Company has been engaged in the development of groundwater since the 1890’s. Originating as a drilling contractor operating in the Southwest, the firm has constructed thousands of wells throughout the United States and in ten foreign countries. In 1926, Roscoe Moss began the manufacture of water well casing and screens. Emphasis on the development of these products has brought the company to the forefront of specialists in the marketing of these materials. In 1990, the company published the Handbook of Ground Water Development.

The Cadiz Water Project is an innovative water project that can safely deliver a new 50-year water supply to southern California residents, businesses, farms, hospitals, and schools, and, in a second phase, provide up to 1 million acre-feet of new groundwater storage. Construction will be entirely privately financed – no public subsidies or tax dollars are required to finance construction – and it will create and support up to 6,000 jobs for our regional Southern California economy. At least 10% of jobs have been reserved for our nation’s veterans.

The Project is a public-private partnership between Cadiz Inc., the largest private landowner and agricultural interest in the area, and public water providers in southern California. Facilities will be constructed entirely on private land, operations will be governed by a state-of-the-art groundwater management plan enforced by San Bernardino County, and no public lands will be impacted. The Project has earned bi-partisan support of local, state and federal elected officials, as well as the support of the labor, business, agriculture, and thousands of water users across the region.
AB 1000 seeks to impose an unnecessary and additional environmental review of the Project, even though the Project has already been reviewed under California law. Indeed, Since 2009, the Project has been extensively studied, publicly-reviewed, and approved under California’s stringent environmental laws. Following a multi-year public California Environmental Quality Act (CEQA) review process, Project operations were determined to have no significant adverse environmental impacts of any kind. Separately, under the County of San Bernardino’s desert groundwater ordinance, the Project was independently reviewed, constrained and then also approved, again with the determination that it would not harm the area’s groundwater resources.

The CEQA approvals were challenged by opponents of the Project in 12 separate cases in California Superior Court and in the Court of Appeal over a four-year period from 2012 to 2016. Every claim from each opponent in every case was denied in Court; and the Project’s Environmental Impact Report and groundwater management plan were upheld in their entireties. Not one word in the environmental documents has been changed by the courts or remanded for further study.

It is for these reasons that AB 1000 is so concerning. At the 11th hour, as the Cadiz Water Project is finally close to being shovel-ready and, at a time when we truly need to invest in our water infrastructure system, Project opponents are attempting an end-run around the Project’s lawful CEQA process and California’s esteemed Courts. If this bill were to become law, it would not only impact this one project for singular, extreme treatment, but it would set a dangerous precedent for similar regulatory abuse of any other infrastructure project in the state, whether a water project like California Fix, new housing, a homeless shelter, highway improvement, or development of high-speed rail.

We view the Cadiz Water Project as a necessary component of Southern California’s water supply portfolio that has followed every law and complied with every regulation. The transportation of water through existing conveyance facilities, not to mention other infrastructure development and improvement, is a highly regulated process that must comply strictly with CEQA – creating a new law that disregards those laws and processes is bad policy. AB 1000 will unnecessarily chill water and other infrastructure development and improvements and curtail the creation of tens of thousands of American jobs, including 6,000 jobs at Cadiz. We urge you to oppose this bill.

Very truly yours,

[Signature]

Robert A. Van Valer
President
July 6, 2017

Senator Robert Hertzberg
Senate Committee on Natural Resources and Water
State Capitol, Room 5046
Sacramento, CA 95814

RE: Opposition to AB 1000 (Friedman)

Dear Chairman Hertzberg:

On behalf of hundreds of south Orange County businesses and their thousands of their employees and family members, the South Orange County Economic Coalition (SOCEC) respectfully requests that you and your colleagues on the Committee on Natural Resources and Water prevent AB 1000 (Friedman) from moving out of committee. We oppose this “gut and amend” legislation because it would create a dangerous precedent that could threaten any project being processed under the California Environmental Quality Act (CEQA).

AB 1000 targets the Cadiz Valley Water Conservation, Recovery & Storage Project, which SOCEC has long supported because our region is nearly entirely dependent on imported water and would benefit from the greater water supply reliability this environmentally benign project would provide. The Cadiz Project has undergone a multi-year, public CEQA review process, yielding a certified Environmental Impact Report that found the project could be operated without harming the desert environment or aquifer. The EIR was successfully defended in six separate cases, both at Orange County Superior Court and the California Court of Appeal, so the Project has met every regulatory requirement imposed by the state.

Despite this, AB 1000 would impose an additional two layers of regulatory review on a project that has successfully fulfilled all its California regulatory obligations. Such an unwarranted action would result in a dangerous precedent that could be used to delay or stop any new water, infrastructure, transit or housing project in the state. The negative impact on the Cadiz Project, and the 5,900 jobs it would create and nearly $1 billion in economic activity it would support, would be just the beginning; the potential harm AB 1000 would inflict on California and Californians is nearly unfathomable.

We therefore urge you and your colleagues to oppose this bill.

Sincerely,

Paul Simonds
Chairman
South Orange County Economic Coalition
cc: 
Vice Chair Senator Jeff Stone
Senator Benjamin Allen
Senator Toni G. Atkins
Senator Ben Hueso
Senator Hannah-Beth Jackson
Senator Bill Monning
Senator Henry Stern
Senator Andy Vidak
Senate Natural Resources & Water Committee
July 7, 2017

Sen. Robert Hertzberg  
Senate Committee on Natural Resources and Water  
State Capitol, Room 5046  
Sacramento CA 95814

RE: Opposition to AB 1000 (Friedman)

Dear Chairman Hertzberg:

The Building Industry Association of Southern California Inc. (BIASC) is a regional trade association that represents more than 1,100-member companies within a six-county region and is comprised of Chapters in Orange, Los Angeles/Ventura, Riverside/Imperial and San Bernardino counties. Together, BIASC’s members build most of the new home communities throughout the same six-county region.

BIASC is writing to express its strong opposition to AB 1000 (Friedman), and to urge you to stop this dangerous precedent setting bill from moving out of the Committee on Natural Resources and Water. This “gut and amend” legislation would create an exceedingly dangerous precedent, potentially threatening all projects being processed under the California Environmental Quality Act, including important public infrastructure projects and critically needed housing of all types, especially affordable products.

The target of AB 1000, the Cadiz Valley Water Conservation, Recovery & Storage Project, an environmentally benign new water supply for 400,000 people in Southern California that BIASC supports, has undergone a thorough and public CEQA review process, has a certified Environmental Impact Report (EIR), and has successfully defended its EIR in California’s courts. It has therefore, met all the legal regulatory requirements imposed by the state with the highest level of scrutiny and review, both environmentally and legally.

Considering the Cadiz Project’s careful and complete compliance with California law, AB 1000 is of great concern because it would impose an unnecessary, unprecedented and duplicative environmental review of a project subsequent to its already exhaustive CEQA review and approval. At a time when Southern California needs to invest in more reliable water supplies and storage, AB 1000 would create an end-run around the project’s lawful CEQA process and the multiple rulings of California’s courts. In so doing, it would not only carve out this one
OPPOSE AB 1000

project for singular, unjustified treatment, but also create a precedent for similar regulatory abuse by opponents of other CEQA-approved projects in the state, including housing projects, which would exacerbate the state’s already-severe housing supply crisis.

We therefore urge you to actively oppose AB 1000 (Friedman).

Sincerely,

Respectfully,

Mike Balsamo
Chief Executive Officer
Building Industry Association of Southern California, Inc.
July 7, 2017

The Hon. Robert Hertzberg
Chair, Senate Committee on Natural Resources and Water
State Capitol, Room 5046
Sacramento, CA 95814

RE: Opposition to AB 1000 (Friedman)

Dear Chairman Hertzberg:

The Orange County Taxpayers Association is writing to express its strong opposition to AB 1000 (Friedman). This “gut and amend” legislation seeks to create a new certification process for water conveyed in California’s water transportation systems, which is both unprecedented and undefined, and would negatively impact the Cadiz Valley Water Conservation, Recovery & Storage Project (Cadiz Water Project), a new water supply for 400,000 people in Southern California.

The Cadiz Project is a public–private partnership between Cadiz Inc., the largest private landowner and agricultural interest in the area, and public water providers in Southern California. Facilities will be constructed entirely on private land and operations will be governed by a state-of-the-art groundwater management plan enforced by San Bernardino County. The project can safely deliver a new 50-year water supply to Southern California residents and is desperately needed. The second phase will provide up to 1 million acre-feet of new groundwater storage capacity. It will create and support up to 6,000 jobs for our regional Southern California economy. At least 10% of jobs have been reserved for our nation’s veterans.

Since 2009, the Project has been extensively studied, publicly reviewed, and approved under California’s stringent environmental laws. Following a multi-year public California Environmental Quality Act (CEQA) review process, Project operations were determined to have no significant adverse environmental impacts of any kind. Separately, under the County of San Bernardino’s groundwater ordinance, the Project was independently reviewed, constrained and then also approved, again having determined that it would not harm the area’s groundwater resources.

The CEQA approvals were challenged by opponents of the Project in 12 separate cases in Superior Court and the California Court of Appeal over 4 years from 2012 – 2016. Every claim brought by each opponent in every case was denied in Court; and the Project’s Environmental Impact Report and Groundwater Management Plan were upheld in their entirety, both at trial and on appeal. Not one word in the environmental documents has been changed by the Courts or remanded back for further study.

It is for these reasons that AB 1000 is so concerning. As the project is finally close to being shovel-ready and, at a time when we truly need to invest in more reliable supplies and storage, Project opponents are attempting an end-run around the Project’s lawful CEQA process and our State’s esteemed Courts. We view the Cadiz Project as a necessary
component of Southern California’s water supply portfolio and will follow every law to get it done, but AB 1000 is not an appropriate law to further constrain the Project.

If enacted, AB 1000 will have far reaching negative impacts on the entire Southern California water community. The transportation of water in existing conveyance facilities is already a highly regulated process that must also follow CEQA. The creation of a new legislative layer to block the Cadiz Water Project sets a dangerous precedent that can be used to block any water conveyance project and we urge you to pull this bill from consideration immediately.

Sincerely,

Orange County Taxpayers Association

CEO and President
July 5, 2017

The Hon. Robert Hertzberg
Chair, Senate Committee on Natural Resources and Water
State Capitol, Room 5046
Sacramento, CA 95814

RE: Opposition to AB 1000 (Friedman)

Dear Chairman Hertzberg:

We are writing on behalf of BizFed, a grassroots alliance of over 160 business organizations that represent 325,000 employers with more than 3 million employees in Los Angeles County, to express our strong opposition to AB 1000 (Friedman). This “gut and amend” legislation seeks to create a new certification process for water conveyed in California’s water transportation systems, which is both unprecedented and undefined, and would negatively impact the Cadiz Valley Water Conservation, Recovery & Storage Project (Cadiz Water Project), a new water supply for 400,000 people in Southern California.

The Cadiz Water Project is an innovative water project that can safely deliver a new 50-year water supply to southern California residents, businesses, farms, hospitals, and schools, and, in a second phase, provide up to 1 million acre-feet of new groundwater storage capacity. Construction will be entirely privately financed – no public subsidies or tax dollars are required to finance construction – and it will create and support up to 6,000 jobs for our regional Southern California economy. At least 10% of jobs have been reserved for our nation’s veterans.

The Project is a public-private partnership between Cadiz Inc., the largest private landowner and agricultural interest in the area, and public water providers in Southern California, (including SMWD). Facilities will be constructed entirely on private land and operations will be governed by a state-of-the-art groundwater management plan enforced by San Bernardino County.

Since 2009, the Project has been extensively studied, publicly-reviewed, and approved under California’s stringent environmental laws. Following a multi-year public California Environmental Quality Act (CEQA) review process, Project operations were determined to have no significant adverse environmental impacts of any kind. Separately, under the County of San Bernardino’s groundwater ordinance, the Project was independently reviewed, constrained and then also approved, again having determined that it would not harm the area’s groundwater resources.

The CEQA approvals were challenged by opponents of the Project in 12 separate cases in Superior Court and the California Court of Appeal over 4 years from 2012 – 2016. Every claim brought by each opponent in every case was denied in Court; and the Project’s Environmental Impact Report and Groundwater Management Plan were upheld in their entirety, both at trial and on appeal. Not one word in the environmental documents has been changed by the Courts or remanded back for further study.
It is for these reasons that AB 1000 is so concerning. At the 11th Hour, as the project is finally close to being shovel-ready and, at a time when we truly need to invest in more reliable supplies and storage, Project opponents are attempting an end-run around the Project’s lawful CEQA process and our State’s esteemed Courts. We view the Cadiz Project as a necessary component of Southern California’s water supply portfolio and will follow every law to get it done, but AB 1000 is not an appropriate law to further constrain the Project.

If enacted, AB 1000 will have far reaching negative impacts on the entire Southern California water community. The transportation of water in existing conveyance facilities is already a highly regulated process, that must also follow CEQA. The creation of a new legislative layer to block the Cadiz Water Project sets a dangerous precedent that can be used to block any water conveyance project and we urge you to pull this bill from consideration immediately.

Sincerely,

Mike Lewis                Tracy Hernandez
BizFed Chair          BizFed Founding CEO
Senior VP,          IMPOWER, Inc
Construction Industry
Air Quality Coalition
July 6, 2017

The Honorable Laura Friedman  
California State Assembly  
State Capitol, Room 2137  
Sacramento, CA 91814

SUBJECT:   AB 1000 (FRIEDMAN) WATER CONVEYANCE: USE OF FACILITY WITH UNUSED CAPACITY  
HEARING SCHEDULED – JULY 11, 2017  
OPPOSE – AS AMENDED JULY 3, 2017

Dear Assembly Member Friedman:

The California Chamber of Commerce OPPOSES your AB 1000.  This “gut and amend” legislation seeks to create a new certification process for water conveyed in California’s water transportation systems.  The bill appears to target the Cadiz Valley Water Conservation, Recovery & Storage Project (Water Project), but potentially threatens any new water transfer projects located in a very specific part of the state.

The Water Project has been extensively studied since 2009.  Following a multi-year public California Environmental Quality Act (CEQA) process, the Water Project operations were determined to have no significant adverse environmental impacts.  Separately the County of San Bernardino determined that Water Project would not harm the area’s groundwater.

The CEQA findings were challenged by opponents in 12 separate cases in Superior Court and the California Courts of Appeal over a four-year period.  Every case was denied and the Water Project’s Environmental Impact Report and Groundwater Management Plan were upheld in their entirety, both at trial and on appeal.

California is chronically short of water.  The Cadiz Water Project would provide a total of 2.5 million acre-feet of new, reliable water over the next 50 years to Southern California – enough to meet the annual needs of 100,000 existing homes or as many as 250,000 new homes with modern water conservation features.  Project construction alone is expected to create and support nearly 6,000 high paying much needed jobs.

For these reasons, the CalChamber is OPPOSED to your AB 1000.

Sincerely,

Valerie Nera  
Policy Advocate

cc:  Catalina Hayes-Bautista, Office of the Governor  
District Office, The Honorable Laura Friedman

VN:mm
July 10, 2017

Sen. Robert Hertzberg  
Senate Committee on Natural Resources and Water  
State Capitol, Room 5046  
Sacramento CA 95814

RE: Opposition to AB 1000 (Friedman)

Dear Chairman Hertzberg:

My organization (American Ground Water Trust) is an educational non-profit that has a focus on groundwater issues. We work nation-wide and are active in bringing objective information to help address water management topics. Our thirty year track record includes over 250 technical water programs. Many of our programs are held in California. For example, in California this year we have held programs in:

- Ontario: “Everything aquifers and groundwater management” a two-day program attended by 150 water managers and their scientific and engineering advisors.
- Bakersfield: “Developing and implementing groundwater sustainability plans” attended by 100 Central Valley growers.
- San Francisco: Our Annual Groundwater Law Conference
- Next week in Fresno, a sold-out workshop, “Measuring groundwater pumping for SGMA compliance”

We have taken a keen interest in the Cadiz project for the last eighteen years. Back in 1999 we featured the geologic and hydrologic background of the Cadiz property in a conference on aquifer storage that we organized in Phoenix, AZ. My professional background is hydrogeology. I have visited the Mojave site and have taken part in discussions and reviews of the technical reports describing the groundwater potential. I do not believe that the development of the project will cause any harm to the desert ecosystem.

With the US population rising by 7,000 people a day, and with changing patterns of weather impacting the reliability of traditional supply systems, water supply planners need to be creative in diversifying resource management options.

Andrew Stone  
Executive Director
July 7, 2017

The Honorable Laura Friedman  
Representative, 43rd Assembly District 
State Capitol, Room 2137 
Sacramento CA 95814 

RE: OPPOSITION to AB 1000, as amended on 7-3-2017

Dear Assemblywoman Friedman:

CH2M HILL is a full-service design and engineering firm with over 1,100 employees in 11 locations throughout California. Our firm has a long history of providing design, construction, and improvement solutions for California’s infrastructure.

I reviewed your Assembly Bill 1000, as amended July 3rd, 2017. AB 1000 would eliminate the ability to transfer water under the Cadiz Valley Water Conservation, Recovery & Storage Project without a new approval by the State’s Land Commission. Effectively, your bill would put a halt to the Cadiz Water Project and waste the time, money, and resources currently invested in the development of the project. Additionally, the impact of your bill would mean the elimination of the thousands of jobs promised by the project proponents.

The multi-year approval process in California for new infrastructure is significant and costly. If the Legislature, under your bill, changes the rules for winning approval for this project, after-the-fact, it would set a dangerous precedent and create uncertainty in the marketplace. This uncertainty will certainly cause development and investment in infrastructure to come to a halt, costing California the needed benefits of infrastructure and the jobs promised.

California must have a stable process that is known in advance, transparent, and treats applicants fairly and without bias toward their project. Agencies will only invest in infrastructure if they believe they can overcome the known hurdles of the review process and achieve project approvals. If that process can be changed midway, no project is safe from being upended.

If you have any questions or concerns regarding our position, please feel free to contact me at (916) 286-0454.

Sincerely,

Anthony Hernandez 
Director of Government Relations
July 10, 2017

The Honorable Robert Hertzberg  
Senate Committee on Natural Resources and Water  
State Capitol, Room 5046  
Sacramento CA 95814

Re:  **AB 1000 (Friedman): Water conveyance: Use of facility with unused capacity - OPPOSE**  
Senate Natural Resources & Water Committee – July 11, 2017

Dear Senator Hertzberg,

Three Valley Municipal Water District serves approximately a 133 square mile area in Eastern Los Angeles County, including Pomona, Walnut, and eastern San Gabriel Valleys and we are writing to express our strong opposition to AB 1000 (Friedman). This gut and amend legislation proposes to extend an exhaustive and comprehensive environmental review and approval process for the Cadiz Valley Water Conservation, Recovery & Storage Project ("the Cadiz Project") to create a new and unwarranted, duplicative and costly new certification process.

The Project has been under review for nearly a decade. Santa Margarita Water District (SMWD) completed environmental review for the Cadiz Project in July of 2012 and the County issued its approvals under its Desert Groundwater Ordinance in October of the same year. San Bernardino County and the SMWD were joined in the defense of the approvals by a long list of amicus briefs and the approvals were subsequently upheld in their entirety by twelve trial and appellate court opinions. The Supreme Court of California did not elect to review the cases.

AB 1000 represents an unwarranted expansion of the state’s regulatory authority and sets a dangerous precedent to suggest that the judicial review is not the final word. The approach would establish a troubling precedent that opens the door lead to similar challenges to future water transfers, water supply infrastructure projects, or, presumably, any other project processed under CEQA that has opposition.

The bill is bad for infrastructure, bad for the economy and bad for California. For these reasons, TVMWD respectfully opposes Assembly Bill 1000. If you have any questions regarding our position, please do not hesitate to contact me at 909-621-5568.

Sincerely,

Richard Hansen, P.E.  
General Manager  
Three Valleys Municipal Water District

cc: Senators Ed Hernandez, Connie Leyva, Tony Mendoza, Josh Newman, Anthony Portantino  
Assembly Members Ian Calderon, Philip Chen, Chris Holden, Freddie Rodriguez, Blanca Rubio
July 6, 2017

Sen. Robert Hertzberg  
Senate Committee on Natural Resources and Water  
State Capitol, Room 5046  
Sacramento CA 95814  

RE: Opposition to AB 1000 (Friedman)

Dear Chairman Hertzberg:

On behalf of the Orange County Council of Governments (OCCOG) I am writing to express its strong opposition to AB 1000 (Friedman). This “gut and amend” legislation seeks to create a new certification process for water conveyed in California’s water transportation systems, which is both unprecedented and undefined. While the bill is targeted to negatively impact the Cadiz Valley Water Conservation, Recovery & Storage Project (Cadiz Water Project), a new water supply for 400,000 people in Southern California, it poses a potential threat to any development project in the state.

The Orange County Council of Governments is Orange County’s subregional planning organization. Bring together jurisdictions, special districts, and private sector partners throughout the County to address water, land use, energy, mobility, and air quality issues facing our residents and ensure our county is represented in regional decision-making. Through implementing effective governance practices we deliver value to our member agencies and the tax-payers of Orange County.

The Cadiz Water Project is an innovative water project that can safely deliver a new 50-year water supply to southern California residents, businesses, farms, hospitals, and schools, and, in a second phase, provide up to 1 million acre-feet of new groundwater storage capacity. Construction will be entirely privately financed – no public subsidies or tax dollars are required to finance construction – and it will create and support up to 6,000 jobs, bolstering Southern California’s economy. At least 10% of jobs have been reserved for our nation’s veterans.

The Project is a public–private partnership between Cadiz Inc., the largest private landowner and agricultural interest in the area, and public water providers in Southern California. Facilities will be constructed entirely on private land and operations will be governed by a state-of-the-art groundwater management plan enforced by The County of San Bernardino. The Project has earned bi-partisan support of local, state and federal elected officials, as well as the support of the labor, business, agriculture and thousands of water users across the region.
AB 1000 seeks to impose an unnecessary and additional environmental review of the Project, even though the Project has already been reviewed under California law. Indeed, since 2009, the Project has been extensively studied, publicly-reviewed, and approved under California’s stringent environmental laws. Following a multi-year public California Environmental Quality Act (CEQA) review process, Project operations were determined to have no significant adverse environmental impacts of any kind.

Separately, under the County of San Bernardino’s desert groundwater ordinance, the Project was independently reviewed, constrained and then also approved, again with the determination that it would not harm the area’s groundwater resources.

The CEQA approvals were challenged by opponents of the Project in 12 separate cases in Superior Court and the California Court of Appeal over four years from 2012 – 2016. Every claim brought by each opponent in every case was denied in Court; and the Project’s Environmental Impact Report and Groundwater Management Plan were upheld in their entirety, both at trial and on appeal. Not one word in the environmental documents has been changed by the Courts or remanded back for further study.

It is for these reasons that AB 1000 is so concerning. At the 11th Hour, as the Cadiz Water Project is finally close to being shovel-ready and, at a time when we truly need to invest in our water infrastructure system, Project opponents are attempting an end-run around the Project’s lawful CEQA process and California’s esteemed Courts. If this bill were to become law, it would not only impact this one project for singular, extreme treatment, but sets a dangerous precedent for similar regulatory abuse for any other development project in the State.

We view the Cadiz Project as a necessary component of Southern California’s water supply portfolio that has followed every law and complied with every regulation. The transportation of water in existing conveyance facilities is already a highly regulated process, that must also follow CEQA. AB 1000 is simply terrible policy that will unnecessarily chill water, jobs and infrastructure. We urge you to oppose this bill.

Sincerely,

Marnie O’Brien Primmer
Executive Director
Orange County Council of Governments

Cc:  OCCOG Board of Directors
file
July 10, 2017

Hon. Robert Hertzberg
Senate Committee on Natural Resources and Water, Chair
State Capitol, Room 5046
Sacramento CA 95814

Hon. Jeff Stone
Senate Committee on Natural Resources and Water, Vice Chair
State Capitol, Room 5046
Sacramento CA 95814

RE: Opposition to AB 1000 (Friedman)

Dear Chairman Hertzberg and Vice Chairman Stone:

I am writing to express my strong opposition to AB 1000 (Friedman). This legislation seeks to create a new certification process for water conveyed in California’s water transportation systems, something that is unprecedented. While the bill targets one specific project, it sets a dangerous precedent and poses a potential threat to any infrastructure project in the state.

I am the General Manager for the East Orange County Water District. In that capacity, I wish to speak out against this legislation from the perspective of the law and public policy.

AB 1000, a “gut and amend” bill, is circumventing regular order and therefore non-transparent and usurps the public’s right to have adequate opportunity to weigh in on a bill that could create a precedent with far-reaching impacts to all Californians. It is flawed public policy to target any project after it has completed all its required environmental review and will have unintended consequences that may impact projects far beyond the one targeted by the bill.

AB 1000 seeks to impose additional state environmental review on a project that has already undergone environmental review under the California Environmental Quality Act (CEQA). The project targeted by the bill does not involve any state lands, therefore the State Lands Commission has no jurisdiction here. If a project has been publicly reviewed and approved under
Letter to Hon. Robert Hertzberg & Hon. Jeff Stone  
July 10, 2017  
Page 2

CEQA, but there are questions about the validity of that environmental review, our court system is available for resolving those questions. This bill disregards CEQA as the final arbiter of environmental safety and sets a dangerous precedent that once any infrastructure project goes through the CEQA process, it has not necessarily complied with California environmental law.

AB 1000 is written to serve the interests of a specific project’s opponents who are using the Legislature to override the CEQA and judicial system determinations. If this bill were to become law, it would not only impact one specific project for singular treatment, something that in and of itself is an abuse of the legislative system, but it would also set a dangerous precedent and have a powerfully negative impact on any infrastructure project in California – a project’s proponents, whether private companies or government entities, would never know whether or when the review process has concluded, whether or when the project has received definitive, dependable approval.

In addition, with respect to water projects, the use of water conveyance facilities is governed by the Wheeling Statutes in the California Water Code. The legislative history of the Wheeling Statutes makes clear that they were written to address the inability of water conveyers to use available capacity in publicly owned transportation facilities, facilities like the Colorado River Aqueduct. This bill would frustrate the purpose of the Wheeling Statutes and make it more difficult to move water. This could have profound effects on communities in need and on all Californians during drought periods.

AB 1000 is bad law and bad policy for California, setting a flawed precedent that could affect all infrastructure development and improvement projects in the state. I urge you to oppose this bill.

Sincerely,

Lisa Ohlund  
General Manager

Hometown Service | Fiscal Discipline | Direct Accountability
The Honorable Robert M. Hertzberg, Chair  
Senate Committee on Natural Resources & Water  
State Capitol, Room 5046  
Sacramento, CA 95814

Re: AB1000 (Friedman) – OPPOSE UNLESS AMENDED

Dear Senator Hertzberg:

On behalf of the Mojave Water Agency (MWA), I am writing to express our opposition to AB1000 (Friedman) that limits the Agency’s water transfers, as well as its water management flexibility at a time of great uncertainty in California’s water history.

Located in the Mojave Desert just 75 miles northeast of the Los Angeles Basin, MWA serves 450,000 residents spanning 4,900 square miles. The region receives, on average, five inches of rain annually, making resource management a way of life. A member of the State Water Contractors, MWA augments its groundwater supply with State Water Project water, and has constructed pipelines, recharge sites, and has implemented an aggressive water conservation program that has achieved a 37 percent decrease in per capita use since 2000.

As currently written, AB1000 prohibits “a transferor of water from using a water conveyance facility that has unused capacity to transfer water from a groundwater basin underlying desert lands, as defined, that is in the vicinity of specified federal lands or state lands to outside of the groundwater basin...” The lack of clarity within the bill causes concern. For example, the phrase “a groundwater basin underlying desert lands,” creates potential harm for MWA in its ability to sell unused water to another State Water Contractor in times of drought. This also negatively affects MWA’s flexibility to legally transfer water and generate revenues. As currently defined, the bill’s geographic boundaries include the MWA service area, as well as adjacent areas of responsibility as defined by the California Statewide Groundwater Elevation Monitoring program (CASGEM), the Sustainable Groundwater Management Act (SGMA) and the Integrated Regional Water Management Plan (IRWMP) (as shown on Attachment 1).
Unfortunately, MWA has not previously engaged on this bill, because in its original form AB1000 aimed to establish design and construction standards and energy and water conservation design standards to reduce the wasteful, uneconomic, inefficient, or unnecessary consumption of energy. The changes to this bill have created unintended consequences that can jeopardize the Agency’s ability to effectively manage its water resources for our citizens and businesses.

Due to the uncertainty associated with the bill language, MWA must oppose this bill unless language is clarified.

Sincerely,

Thomas D. McCarthy, PE, PG
General Manager
Mojave Water Agency

CC: ACWA
  Joshua Basin Water District
  Hi Desert Water District
  Bighorn Desert View Water Agency
  San Bernardino County
  Twentynine Palms Water District
  Senator Jean Fuller
  Senator Scott Wilk
  Assemblyman Chad Mayes
  Assemblyman Jay Obernolte
Infringement of proposed AB 1000 "desert lands" into MWA Service Area (~1,280 sq mi)
July 10, 2017

The Honorable Robert Hertzberg
California State Senate
Senate Committee on Natural Resources and Water
State Capitol, Room 5046
Sacramento CA 95814

RE: Opposition to AB 1000 (Friedman)

Dear Chairman Hertzberg:

California Steel Industries, Inc. (CSI) is writing to express its strong opposition to AB 1000 (Friedman). This “gut and amend” legislation seeks to create a new certification process for water conveyed in California’s water transportation systems, which is both unprecedented and undefined. While the bill is targeted to negatively impact the Cadiz Valley Water Conservation, Recovery & Storage Project (Cadiz Water Project or Project), a safe, new water supply for 400,000 people in Southern California, it sets a dangerous precedent and poses a potential threat to any infrastructure project in the state.

CSI is a steel producer in Fontana, California. We have been in operation since 1984 and employ about a thousand workers at our facility, where we make steel sheet that our downstream customers make into some of the most common items needed for water infrastructure projects. CSI is the largest steel mill in the western U.S. and the principal user of the Port of Los Angeles by tonnage.

The Cadiz Water Project is an innovative water project that can safely deliver a new 50-year water supply to Southern California residents, businesses, farms, hospitals, and schools, and, in a second phase, provide up to 1 million acre-feet of new groundwater storage. Construction will be entirely privately financed – no public subsidies or tax dollars are required to finance construction – and it will create and support up to 6,000 jobs for our regional Southern California economy. At least 10% of jobs have been reserved for our nation’s veterans.

The Project is a partnership between Cadiz Inc., the largest private landowner and agricultural interest in the area, and public water providers in Southern California. Facilities will be constructed entirely on private land, operations will be governed by a state-of-the-art groundwater management plan enforced by San Bernardino County, and no public lands will be impacted. The Project has earned bi-partisan support of local, state and federal elected officials, as well as the support of the labor, business, agriculture, and thousands of water users across the region.

AB 1000 seeks to impose an unnecessary and additional environmental review for water projects, including the Project which has already been reviewed under California law. If this bill were to become
law, it would not only impact this one project for singular, extreme treatment, but it would set a
dangerous precedent for similar regulatory oversight of any other infrastructure project in the State,
whether a water project like California Fix, new housing, a homeless shelter, highway improvement, or
development of high-speed rail.

Since 2009, the Project has been extensively studied, publicly reviewed, and approved under California’s
stringent environmental laws. Following a multi-year public California Environmental Quality Act
(CEQA) review process, Project operations were determined to have no significant adverse environmental
impacts of any kind. Separately, under the County of San Bernardino’s desert groundwater ordinance, the
Project was independently reviewed, constrained and then also approved, again with the determination
that it would not harm the area’s groundwater resources.

The CEQA approvals were challenged by opponents of the Project in 12 separate cases in California
Superior Court and in the Court of Appeal over a four-year period from 2012 to 2016. Every claim from
each plaintiff in every case was denied in Court; and the Project’s Environmental Impact Report and
groundwater management plan were upheld in their entirities. Not one word in the environmental
documents has been changed by the courts or remanded for further study.

It is for these reasons that AB 1000 is so concerning. Now, as the Cadiz Water Project is finally close to
being shovel-ready and, at a time when we truly need to invest in our water infrastructure system, Project
opponents are attempting an end-run around the Project’s lawful CEQA process and California’s
esteemed Courts.

We view the Cadiz Water Project as a necessary component of Southern California’s water supply
portfolio that has followed every law and complied with every regulation. The transportation of water
through existing conveyance facilities, not to mention other infrastructure development and improvement,
is a highly regulated process that must comply strictly with CEQA – creating a new law that disregards
those laws and processes creates instability. AB 1000 will unnecessarily jeopardize water and other
infrastructure development and improvements and curtail the creation of tens of thousands of American
jobs, including 6,000 jobs at Cadiz. We urge you to oppose this bill.

Sincerely,

[Signature]

Marcelo Botelho Rodrigues
President & CEO
July 10, 2017

The Honorable Robert Hertzberg  
Chair, Senate Committee on Natural Resources and Water  
State Capitol, Room 5046  
Sacramento, CA 95814

RE: AB 1000 (Friedman) - OPPOSED

Dear Senator Hertzberg and members of the Committee on Natural Resources and Water,

On behalf of the San Gabriel Valley Economic Partnership, I am writing in strong opposition to AB 1000 (Friedman). The Partnership is a regional business organization covering eastern Los Angeles County.

AB 1000 is “gut and amend” legislation that seeks to create a new certification process for water conveyed through California’s aqueduct systems, which is both unprecedented and undefined, and would negatively affect the Cadiz Valley Water Conservation, Recovery & Storage Project (Cadiz Water Project), a new water supply for 400,000 people in southern California.

The Cadiz Water Project is an innovative water project that can safely deliver a new 50-year water supply to southern California residents, businesses, farms, hospitals, and schools, and, in a second phase, provide up to 1 million acre-feet of new groundwater in storage capacity. Construction will be privately financed – no public subsidies or tax dollars are required to fund construction – and it will create and support up to 6,000 jobs for the regional economy. At least 10% of these jobs have been reserved for veterans.

The Project is a public–private partnership between Cadiz Inc., the largest private landowner and agricultural interest in San Bernardino County, and public water providers in Southern California, (including SMWD). Facilities will be constructed entirely on private land and operations will be governed by a state-of-the-art groundwater management plan enforced by San Bernardino County.

Since 2009, the Project has been extensively studied, publicly-reviewed, and approved under California’s stringent environmental laws. Following a multi-year public California Environmental Quality Act (CEQA) review process, Cadiz operations were determined to have no significant adverse environmental impacts of any kind. Separately, under the County of San Bernardino’s groundwater ordinance, the Project was independently reviewed, constrained and then also approved, again having determined that it would not harm groundwater resources.
The CEQA approvals were challenged by opponents of the Project in 12 separate cases in Superior Court and the California Court of Appeal over four years from 2012 – 2016. Every claim brought by each opponent in every case was denied in Court. The Project’s Environmental Impact Report and Groundwater Management Plan were upheld in their entirety, both at trial and on appeal. Not one word in the environmental documents has been changed by the Courts or remanded back for further study.

It is for these reasons that AB 1000 is so concerning. As the project is finally close to being shovel-ready and, at a time when we truly need to invest in more reliable water supplies and storage, the Cadiz Project’s opponents are attempting an end-run around the CEQA process and out state court system. We view the Cadiz Project as a critical component of Southern California’s water supply portfolio and will follow every law to get it done. AB 1000 is not an appropriate use of the state’s legislative power to further constrain a project which has already undergone a thorough scientific vetting and cleared numerous regulatory approvals.

If enacted, AB 1000 will have far reaching negative effects on the entire Southern California water system. The transportation of water in existing conveyance infrastructure is already a highly regulated process, that must also comply with the stringent requirements of CEQA. The creation of a new legislative layer to block the Cadiz Water Project sets a dangerous precedent that can be used to block any water conveyance project in the future. I urge you to pull this bill from consideration immediately.

Sincerely,

Jeff Allred
President & CEO
July 7, 2017

Sen. Robert Hertzberg  
Senate Committee on Natural Resources and Water  
State Capitol, Room 5046  
Sacramento CA 95814

Hon. Jeff Stone  
Senate Committee on Natural Resources and Water, Vice Chair  
State Capitol, Room 5046  
Sacramento CA 95814

RE: Opposition to AB 1000 (Friedman)

Dear Chairman Hertzberg and Vice Chairman Stone:

I am writing to express my strong opposition to AB 1000 (Friedman). As a geohydrologist who worked on the Cadiz Water Project (Water Project), I believe I offer a perspective that can shine some light on this misguided legislation as it relates to the Water Project. It is also my professional opinion that the new certification process for conveying water through California’s water transportation systems this legislation seeks to create is unprecedented. I take issue with the bill’s targeting of the Cadiz Valley Water Conservation, Recovery & Storage Project (Cadiz Water Project or Project), a safe, new water supply for 400,000 people in Southern California, as well as the dangerous precedent it sets and the threat it poses to any water infrastructure project in the state.

I am founder and president of the Southern California based firm GEOSCIENCE Support Services, Inc., and I have over 40 years of experience in ground water hydrology. I’ve been a consultant to the United Nations and am currently a research professor at the University of Southern California’s Civil and Environmental Engineering Department where I’ve taught graduate level courses in geohydrology and ground water modeling since 1980. I am the author of over 50 publications on ground water and wells and was the principal author of the Handbook of Ground Water Development (John Wiley & Sons, 1990).

I, along with Mr. Terry Foreman formerly with CH2M Hill, was the principal hydrogeologist responsible for the Final Environmental Impact Report (“FEIR”) for the Cadiz Water Project. In recent months, there have been numerous articles and opinion pieces published in papers throughout California containing information about the Cadiz area watershed recharge rates and threats to the surrounding ecosystem
that is patently false. I would like to take this opportunity to correct the record to show how misguided AB 1000 is.

More than any other document cited by the misinformed is a 2000 United States Geological Survey (USGS) comment letter on a previous and different iteration of this water project. In it, the USGS estimates that lower recharge rates prevail in the watershed. In fact, USGS has done no new analysis of the Project area and the recharge rate, let alone study or data collection, since 2000. In a recent letter to Senator Feinstein, the USGS states “we have not reviewed the current proposed Cadiz water extraction project. Similarly, we have not conducted new site-specific studies or data collection in the Cadiz area since our 2000 review.” (Letter to Senator Feinstein from William Werkheiser, Acting Director, USGS, Department of the Interior, May 5, 2017.)

Even so, the out of date 17 year-old USGS estimates have been restated, again and again, by a variety of governmental agencies like the Mojave National Preserve as well as environmental organizations (see the EIR for this Project in 2012, Vol. 6. pages 3-1-1 to 3). These estimates are inconsistent with actual data collected since 2000 and with models run using the USGS’s own computer model created in 2008, eight years after it had made its own estimate.

The scientific basis for the design of the current project is in equilibrium, that is, ground water is evaporating from the watershed at the same rate it is being recharged (as shown by a study conducted by the Desert Research Institute). The Project will capture this water before it has a chance to evaporate and provide it to 400,000 people living in the seven-county area of southern California. That is, as pointed out at length in the EIR, the recharge and discharge rates for the surrounding watershed were re-calculated using the newer 2008 USGS model Infil3.0, additional new science, and site-specific field data to arrive at the more accurate, current recharge estimate of 32,400 acre-feet per year, an estimate that is consistent with the measured evaporation rate (outflow) from the Cadiz and Bristol Dry Lakes (EIR, Vol. 6 page 3.1-3; FEIR, Vol. 6, page 3.1.10).

The inaccurate recharge estimates being cited by some are likely based on the one offered in the Mojave National Preserve letter. That estimate misinterprets the evaporation (discharge) data from the Dry Lakes, the only outlet for water in this closed system and the point of evaporation. This misinterpretation of data along with incorrect assumptions as well as arithmetic error may have led to the lower and erroneous estimate of recharge. However, the new and more accurate recharge rate has been put to rest with use of the USGS 2008 model and finally by the Desert Research Institute’s evaporation study.

The Cadiz Water Project presents no risk of any kind to the Mojave National Preserve, any of the new Monuments, the surrounding ecosystem, the springs, the flora, the fauna, or the aquifer itself (FEIR, Vol
Numerous studies, including the first geologic mapping of the area by Miles Kenney and new estimates of the amount of water in recharge by Terry Foreman and CH2M Hill (over 20 million acre-feet of water, making this aquifer system the size of Lake Mead, our nation’s largest reservoir), make up the 7,000-page EIR. Robust peer-review, study, and analyses back up our assessments that the Cadiz Water Project operations present no threat whatsoever to the Mojave Desert (FEIR, Vol. 6, Page 3-1-3 to 4).

The Cadiz Water Project is an innovative water project that can safely deliver a new 50-year water supply to southern California residents, businesses, farms, hospitals, and schools, and, in a second phase, provide up to one million acre-feet of new ground water storage. Construction will be entirely privately financed – no public subsidies or tax dollars are required to finance construction – and it will create and support nearly 6,000 jobs, 10% of which are reserved for our nation’s veterans.

The Project is a public-private partnership between Cadiz Inc. and public water providers in southern California lead by Santa Margarita Water District. Facilities will be constructed entirely on private land and no public lands will be impacted. The Project has earned bi-partisan support of local, state and federal elected officials, as well as the support of the labor, business, agriculture, and thousands of water users across the region.

AB 1000 seeks to impose an unnecessary and additional environmental review of the Project, even though the Project has already been reviewed under California law. As discussed above, Project operations have been determined to have no significant adverse environmental impacts of any kind. Separately, under the County of San Bernardino’s desert ground water ordinance, the Project was independently reviewed, constrained and then also approved, again with the determination that it would not harm the area’s ground water resources.

The CEQA approvals were challenged by opponents of the Project in 12 separate cases in California Superior Court and in the Court of Appeal over a four-year period from 2012 to 2016. Every claim from each opponent in every case was denied in Court; and the Project’s Environmental Impact Report and ground water management plan were upheld in their entireties. Not one word in the environmental documents has been changed by the courts or remanded for further study.

It is for these reasons that AB 1000 is so concerning. At the 11th hour, as the Cadiz Water Project is finally close to being shovel-ready and, at a time when we truly need to invest in our water infrastructure system, Project opponents are attempting an “end-run” around the Project’s lawful CEQA process and California’s esteemed Courts. If this bill were to become law, it would not only impact this one project for singular, extreme treatment, but it would set a dangerous precedent for similar regulatory abuse of any other infrastructure project in the state.
The Cadiz Water Project is a necessary component of Southern California’s water supply portfolio that has followed every law and complied with every regulation. In fact, these existing regulations have done their job as intended by lawmakers, forcing project designers to improve the Project to the point that there will be no negative impacts. AB 1000 will unnecessarily chill water and other infrastructure development and improvements and curtail the creation of tens of thousands of American jobs, including 6,000 jobs at Cadiz. I urge you to oppose this bill.

Sincerely,

Dennis Williams, Ph.D., PG, CHG  
President  
GEOSCIENCE Support Services, Inc.  
Research Professor, University of Southern California  
Department of Civil and Environmental Engineering
July 10, 2017

Sen. Robert Hertzberg  
Senate Committee on Natural Resources and Water  
State Capitol, Room 5046  
Sacramento CA 95814

RE: Opposition to AB 1000 (Friedman) – Strong Oppose

Dear Chairman Hertzberg,

Joseph E. Bonadiman & Associates is writing to express its strong opposition to AB 1000 (Friedman). This “gut and amend” legislation seeks to create a new certification process for water conveyed in California’s water transportation systems, which is both unprecedented and ill-defined. While the bill is targeted to negatively impact the Cadiz Valley Water Conservation, Recovery & Storage Project (Cadiz Water Project), a new water supply for 400,000 people in Southern California, it poses a potential threat to any infrastructure project in the state.

The Cadiz Water Project is an innovative water project that can safely deliver a new 50-year water supply to southern California residents, businesses, farms, hospitals, and schools, and, in a second phase, provide up to 1 million acre-feet of new groundwater storage. Construction will be entirely privately financed – no public subsidies or tax dollars are required to finance construction – and it will create and support up to 6,000 jobs for our regional Southern California economy. At least 10% of jobs have been reserved for our nation’s veterans.

The Project is a public–private partnership between Cadiz Inc., the largest private landowner and agricultural interest in the area, and public water providers in Southern California. Facilities will be constructed entirely on private land and operations will be governed by a state-of-the-art groundwater management plan enforced by San Bernardino County. The Project has earned bi-partisan support of local, state and federal elected officials, as well as the support of the labor, business, agriculture and thousands of water users across the region.

AB 1000 seeks to impose an unnecessary and additional environmental review of the Project, even though the Project has already been reviewed under California law. Indeed, since 2009, the Project has been extensively studied, publicly-reviewed, and approved under California’s stringent environmental laws. Following a multi-year public California Environmental Quality Act (CEQA) review process, Project operations were determined to have no significant adverse environmental impacts of any kind. Separately, under the County of San Bernardino’s desert groundwater ordinance, the...
Project was independently reviewed, constrained and then also approved, again with the determination that it would not harm the area's groundwater resources.

The CEQA approvals were challenged by opponents of the Project in 12 separate cases in Superior Court and the California Court of Appeal over four years from 2012 – 2016. Every claim brought by each opponent in every case was denied in Court; and the Project’s Environmental Impact Report and Groundwater Management Plan were upheld in their entireties, both at trial and on appeal. Not one word in the environmental documents has been changed by the Courts or remanded back for further study.

It is for these reasons that AB 1000 is so concerning. At the 11th Hour, as the Cadiz Water Project is finally close to being shovel-ready and, at a time when we truly need to invest in our water infrastructure system, Project opponents are attempting an end-run around the Project’s lawful CEQA process and California’s esteemed Courts. If this bill were to become law, it would not only impact this one project for singular, extreme treatment, but sets a dangerous precedent for similar regulatory abuse of any other infrastructure project in the state, whether a water project like California Fix, new housing, a homeless shelter, highway improvement, or development of high-speed rail.

We view the Cadiz Project as a necessary component of Southern California’s water supply portfolio that has followed every law and complied with every regulation. The transportation of water in existing conveyance facilities is already a highly regulated process, that must also follow CEQA. AB 1000 is simply terrible policy that will unnecessarily chill water, jobs and infrastructure. We urge you to oppose this bill.

Sincerely,


Michael J. Bonadiman,
Vice President

Edward J. Bonadiman,
President
July 10, 2017

The Honorable Robert M. Hertzberg
California State Senate
State Capitol, Room 5046
Sacramento, CA 95814

Re: AB 1000 (Friedman): Water conveyance: use of facility with unused capacity – OPPOSE
Senate Natural Resources & Water Committee – July 11, 2017

Dear Senator Hertzberg:

The Laguna Beach County Water District (LBCWD) is opposed to AB 1000 (Friedman). This “gut and amend” legislation creates a new certification process for water conveyed in California’s water transportation systems, which is both unprecedented and undefined. While the bill is targeted to negatively impact the Cadiz Valley Water Conservation, Recovery & Storage Project (“Water Project”), a new water supply for 400,000 people in Southern California, it has larger implications and poses a potential threat to any new water transfer project in the state.

The Water Project is an innovative water initiative that will deliver a new 50-year water supply to southern California residents, businesses, farms, hospitals, and schools, as well as providing up to 1 million acre-feet of new groundwater storage capacity in the second phase. The Project has earned bi-partisan support of local, state and federal elected officials, as well as the support of the labor, business, agriculture and thousands of water users across the region. Construction will be entirely privately financed with no public subsidies or tax dollars are required to finance construction. This Project will also create and support up to 6,000 jobs for our regional Southern California economy. At least 10% of jobs have been reserved for our nation’s veterans.

AB 1000 will impose an unnecessary and duplicative environmental review of the Project. Since 2009, the Project has been extensively studied, publicly-reviewed, and approved under California’s stringent environmental laws. Following a multi-year public California Environmental Quality Act (CEQA) review process, Project operations were determined to have no significant adverse environmental impacts of any kind. Separately, under the County of San Bernardino’s desert groundwater ordinance, the Project was independently reviewed with the determination that it would not harm the area’s groundwater resources.

The CEQA approvals were challenged by opponents of the Project in 12 separate cases in Superior Court and the California Court of Appeal over four years from 2012-2016. Every claim brought by each opponent in every case was denied in Court; and the Project’s Environmental Impact Report and Groundwater Management Plan were upheld in their entirety, both at trial and
on appeal. Not one word in the environmental documents has been changed by the Courts or remanded back for further study.

At a time when we truly need to invest in more reliable supplies and storage, and the Project is finally close to being shovel-ready, it is very concerning that Project opponents are attempting an end-run around the Project’s lawful CEQA process and our State’s esteemed Courts. AB 1000 would not only carve out this one project for singular, extreme treatment, but also create a precedent for similar regulatory abuse for any other water transfer projects in the state. This is alarming for all water purveyors in California.

This Project is a necessary component of Southern California’s water supply portfolio that has followed every law and complied with every regulation. If enacted, AB 1000 will have far reaching negative impacts on the entire California water community. The transportation of water in existing conveyance facilities is already a highly-regulated process that must also follow CEQA. The creation of a new legislative layer to block the Cadiz Water Project sets a dangerous precedent that can be used to block any water conveyance project. We urge you to oppose this bill and pull it from consideration.

Sincerely,

Renae M. Hinchey
General Manager
Laguna Beach County Water District
July 11, 2017

Sen. Robert Hertzberg
Senate Committee on Natural Resources and Water
State Capitol, Room 5046
Sacramento CA 95814

SUBJECT: Opposition to AB 1000 (Friedman)

Dear Chairman Hertzberg:

West Yost Associates (West Yost) is writing to express its opposition to AB 1000 (Friedman). This legislation seeks to create a new certification process for water conveyed in California’s water transportation systems, even though the certification process is already subject to review in accordance with the California Environmental Quality Act (CEQA) and terms and conditions in the Water Code. While the bill is targeted to negatively impact the Cadiz Valley Water Conservation, Recovery & Storage Project (Cadiz Water Project), a new water supply for 400,000 people in Southern California, it has far reaching impacts on other water purveyors in the desert southwest and poses a potential threat to other water projects throughout the State.

West Yost is a consulting engineering firm that was formed in 1990, focused on water supply, wastewater, recycled water, and stormwater projects. We provide a broad range of experience in planning, design, construction management, program management, and operations technology and cybersecurity services. We are headquartered in Davis, CA, and have 11 office locations in California, Oregon, and Arizona. We have certified or registered professionals in civil and mechanical engineering, geology, and hydrogeology.

AB 1000 seeks to impose an unnecessary and additional environmental review of projects, even if the project has already been reviewed under California law. If a project has been publicly reviewed and approved under CEQA, but there are questions about the validity of that environmental review, our court system is available for resolving those questions. This bill disregards CEQA as the final arbiter of environmental safety and sets a dangerous precedent. In addition, AB 1000 was written to serve the interests of specific opponents of the Cadiz Water Project who are using the legislature to override CEQA and judicial system determinations settled in Court. If the legislation becomes law, then other water projects in the State may also be at risk. A project’s proponents, would never know whether or when their review process has concluded, whether or when their project has received definitive, dependable approval. If this is the direction in which the Legislature would like to move, then at the very least it should take such a matter up as a two-year bill — not a bill assembled over a holiday break.
Sen. Robert Hertzberg  
July 11, 2017  
Page 2  

We view the Cadiz Water Project as an important component of Southern California’s water supply portfolio that has followed every law and complied with every regulation. The transportation of water in existing conveyance facilities is already a highly regulated process, that must also follow CEQA. AB 1000 has the potential to set a dangerous precedent that could affect water projects throughout the state. We urge you to oppose this bill.

Sincerely,

WEST YOST ASSOCIATES

Charles Duncan  
President
July 11, 2017

Sen. Robert Hertzberg  
Sen. Jeff Stone
Senate Committee on Natural Resources  
Senate Committee on Natural Resources and Water, Chairman  
State Capitol, Room 5046  
State Capitol, Room 5046  
Sacramento, CA 95814  
Sacramento, CA 95814

Subject: Opposition to AB 1000 (Friedman)

Dear Chairman Hertzberg and Vice Chairman Stone:

I am writing to express my strong opposition to AB 1000 (Friedman). As an engineering hydrologist, I have spent considerable time reviewing and assessing the Cadiz Valley Water Conservation, Recovery & Storage Project (Cadiz Project). Based upon this experience, I can offer a technical perspective regarding the Cadiz Project and how misguided this legislation is. I take issue with AB 1000’s targeting of the Cadiz Project, which will provide a safe, new water supply for 400,000 people in Southern California. The dangerous precedent AB 1000 sets, poses a threat to any water infrastructure project in the state. It is my professional opinion that the new water conveyance certification process this legislation seeks to create is unprecedented.

I am CEO and Principal Hydrologist for Aquilogic. I have been working as an engineering hydrologist for over 25 years in California. My expertise is in infrastructure engineering with a focus on water resources, environmental engineering, and water treatment and supply. I am currently assisting several state attorneys generals offices, numerous California cities and water districts, private corporations, and the Sierra Club with groundwater management and protection issues.

My experience with the Cadiz Project is as an outsider. In 2013, I was hired by the Laborers International Union of North America to conduct an impartial, objective, third-party review and analysis of the Cadiz Project. My review focused upon the evaluation of: (1) the conceptual hydrologic model of the Cadiz Project; and (2) criticisms raised by opponents to the Cadiz Project as related to groundwater hydrology. I prepared an extensive report that involved detailed review of the groundwater hydrology as presented within the Final Environmental Impact Report (“FEIR”) of the Cadiz Project. Based upon my report, I concluded the following:

- The criticisms of the Cadiz Project hydrology have failed to account for the actual field-measured evaporation data, which quantifies that nearly 32,000 acre-feet per year (AFY) is being lost to evaporation from the hydrologic system – and what goes out, must go in!
The range of recharge estimates used to assess possible project impacts appears to be reasonable and conservative.

Compared with other actively managed groundwater basins in Southern California, the Cadiz Project proposes a relatively low extraction rate versus the large quantity of water in storage in the tributary watersheds.

Largely due to the hydrogeology of the Cadiz Project area and the manageable amounts of extraction proposed, we cannot identify any significant impacts from proposed groundwater pumping by the Cadiz Project on springs, subsidence, or saline intrusion in the alluvium.

The levels of subsidence and saline intrusion presented in the FEIR appear to reasonably reflect likely conditions, and the proposed pumping will not lead to significant subsidence or saline intrusion.

Due to hydrologic separation, the pumping will have no effect on the springs.

If the recharge available to the Cadiz Project is lower than anticipated, the only party that would bear any potential impact, if one were to unexpectedly occur, is Cadiz.

The condition imposed on the Cadiz Project by the County of San Bernardino that limits water-table drawdown will address this issue and serve to negate any potential impacts.

Since my review of the Cadiz Project, I have tracked the patently false claims made in articles and opinion pieces published in papers throughout California. The information contained in these pieces about the Cadiz area watershed recharge rates and supposed threats to the surrounding ecosystem is inaccurate, and I would like to take this opportunity to correct the record to show how misguided AB 1000 is.

Cited by the misinformed, more than any other document, is a 2000 United States Geological Survey (USGS) comment letter on a previous and different iteration of this water project. In it, the USGS estimates that lower recharge rates prevail in the watershed. In fact, the USGS has done no new analysis of the Project area and the recharge rate, let alone study or data collection, since 2000. In a recent letter to Senator Feinstein, the USGS states “we have not reviewed the current proposed Cadiz water extraction project. Similarly, we (USGS) have not conducted new site-specific studies or data collection in the Cadiz area since our 2000 review.”


The basis for the Cadiz Project is that groundwater is evaporating from the watershed at the same rate it is recharging the basin (as shown by a study conducted by the Desert Research Institute). The Cadiz Project will capture this water before it has a chance to evaporate within the Bristol and Cadiz Dry Lakes and provide it to 400,000 people living in the seven-county area of Southern California. As concluded in my review of the Cadiz Project, the total evaporative loss of water from the Bristol and Cadiz Dry Lakes has been quantified as nearly 32,000 AF. Given that most precipitation (and recharge) occurs at the higher elevations that surround the
Cadiz Project and the planned method of operation, it is reasonable to conclude that recharge available to the Cadiz Project is within the upper quartile of the range considered in the FEIR.

To provide some perspective to the size of the alluvial basin of the Cadiz Project, and by means of comparison, the following table details the size, storage volume, and groundwater pumping rates for similar groundwater basins in Southern California. The relatively large quantity of groundwater in storage and comparatively much lower extraction rate provides a context for considering the technical criticisms raised by some parties that the Cadiz Project will cause possible adverse impacts.

<table>
<thead>
<tr>
<th>Groundwater Basin</th>
<th>Basin Size (mi²)</th>
<th>Depth of Basin (feet bgs)</th>
<th>Groundwater Storage (AF)</th>
<th>Groundwater Production (AFY)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Fenner, Bristol, and Cadiz Watersheds</td>
<td>2,700</td>
<td>&gt;1,000</td>
<td>17,000,000 – 34,000,000</td>
<td>50,000 (proposed)</td>
</tr>
<tr>
<td>San Gabriel Valley</td>
<td>255</td>
<td>4,100</td>
<td>10,740,000</td>
<td>269,448 (2001)</td>
</tr>
<tr>
<td>Orange County Coastal Plain</td>
<td>350</td>
<td>2,000</td>
<td>37,700,000</td>
<td>259,861 (2010-2011)</td>
</tr>
<tr>
<td>Bunker Hill, Riverside</td>
<td>120</td>
<td>1,000</td>
<td>5,890,300</td>
<td>188,296 (2001)</td>
</tr>
<tr>
<td>West Coast Basin, Los Angeles</td>
<td>142</td>
<td>2,200</td>
<td>6,500,000</td>
<td>42,068 (2013)</td>
</tr>
<tr>
<td>Central Basin, Los Angeles</td>
<td>277</td>
<td>2,200</td>
<td>13,800,000</td>
<td>196,261 (2013)</td>
</tr>
</tbody>
</table>

As presented in the FEIR, the Cadiz Project presents no risk of any kind to the Mojave National Preserve, any of the new Monuments, the surrounding ecosystem, the springs, the flora, the fauna, or the aquifer itself. Based upon my review of the Cadiz Project, springs in the watersheds that surround the Cadiz Project occur where either: (1) a fault along the flank of a mountain range forms a partial barrier to groundwater flow and groundwater behind the fault in the bedrock rises above groundwater in the alluvium and intercepts the land surface; or (2) a stratigraphic unit of lower permeability (e.g. an aquitard) forms a partial barrier to groundwater flow and groundwater mounds above the aquitard and intercepts the land surface. Thus, the springs are not in direct hydraulic communication with groundwater in the alluvial basins, and the pumping proposed as part of the Cadiz Project will have no measureable effect on spring flows. As such I had concluded that it is not possible for the springs to be impacted by the Cadiz Project.

The Cadiz Water Project is an innovative water project that can safely deliver a new 50-year water supply to Southern California residents, businesses, farms, hospitals, and schools, and, in a second phase, provide up to 1 million AF of new groundwater storage. Construction will be entirely privately financed – no public subsidies or tax dollars are required to finance construction – and it will create and support nearly 6,000 jobs, 10 percent (%) of which are reserved for our nation’s veterans.
The Cadiz Project is a public-private partnership between Cadiz Inc. and public water providers in Southern California lead by Santa Margarita Water District. Facilities will be constructed entirely on private land and no public lands will be impacted. The Cadiz Project has earned bipartisan support of local, state, and federal elected officials, as well as the support of the labor, business, agriculture, and thousands of water users across the region.

AB 1000 seeks to impose an unnecessary and additional environmental review of the Cadiz Project after the Cadiz Project had already been reviewed under California law. Cadiz Project operations have been determined to have no significant adverse environmental impacts of any kind. Additionally, under the County of San Bernardino’s desert groundwater ordinance, the Cadiz Project was independently reviewed, constrained, and then also approved, again with the determination that it would not harm the area’s groundwater resources.

The California Environmental Quality Act (CEQA) approvals were challenged by opponents of the Cadiz Project in 12 separate cases in California Superior Court and in the Court of Appeal over a 4-year period from 2012 to 2016. Every claim from each opponent in every case was denied in Court, and the FEIR and groundwater management plan were upheld in their entireties. Not one word in the environmental documents has been changed by the Courts or remanded for further study.

It is for these reasons that AB 1000 is so concerning. At the 11th hour, as the Cadiz Project is finally close to being shovel-ready and, at a time when we truly need to invest in our water infrastructure system, Project opponents are attempting an end-run around the Cadiz Project’s lawful CEQA process. If this bill were to become law, it would not only impact this one project for singular, extreme treatment, but it would set a dangerous precedent for similar regulatory abuse of any other infrastructure project in the state.

The Cadiz Project is a necessary component of Southern California’s water supply portfolio that has followed every law and complied with every regulation. In fact, these existing regulations have done their job as intended by lawmakers, forcing project designers to improve the Project to the point that there will be no negative impacts. AB 1000 will unnecessarily chill water and other infrastructure development and improvements and curtail the creation of tens of thousands of American jobs, including 6,000 jobs at Cadiz. I urge you to oppose this bill.

Sincerely,
aquilologic, Inc.

Anthony Brown
CEO & Principal Hydrologist