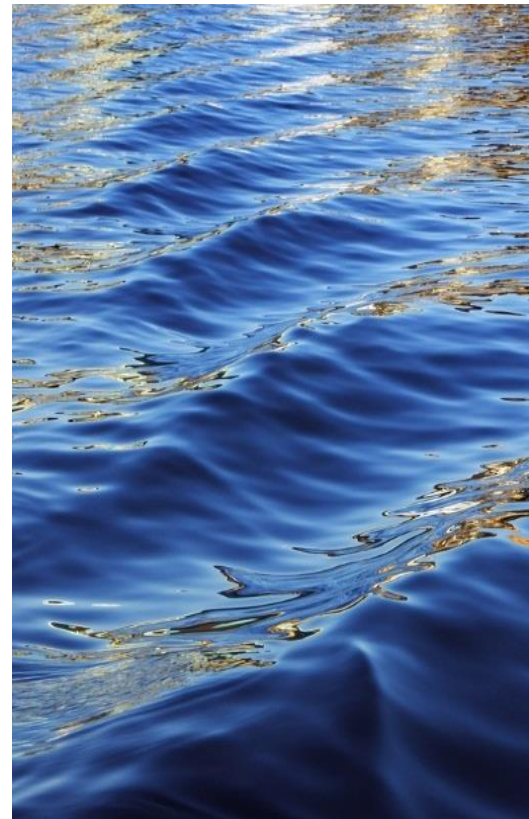





# Water Directions: Where are We Going and When do We Get There?

September 2018

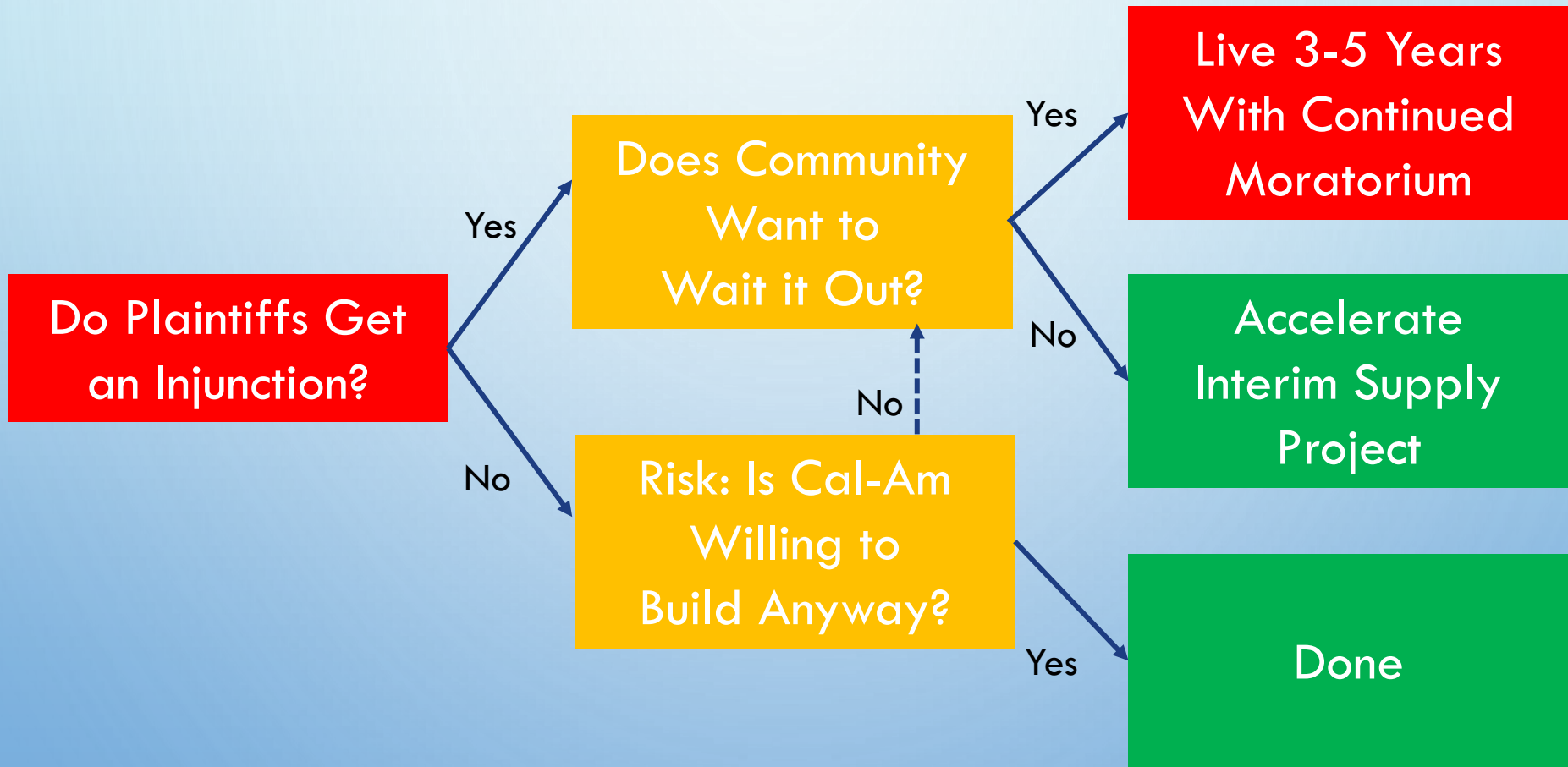


# CPUC Schedule



	Item
<b>August 13</b>	Proposed Decision Issued
<b>August 22</b>	Oral Arguments
<b>September 4</b>	Written Comments submitted
<b>September 13</b>	CPUC adopts Decision
<b>September 14th or so</b>	CPUC files Notice of Determination (NOD)
<b>September 30</b>	State Water Board milestone – Issuance of CPCN
<b>30 Days from NOD</b>	CEQA lawsuit filing period closes

# What if Desal gets tied up in court?



# What if Desal goes unchallenged?

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Done

# Measure J (Public Water Now Initiative)

- If and when feasible, secure and maintain public ownership of all water infrastructure in our territory
- To negotiate or use eminent domain to acquire Cal-Am assets
- If it passes, within 9 months complete a written plan to do so

# Ballot Title, Analysis, and Arguments

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- District drafted ballot title in June; Disputed in court August 29
- Ballot title changed: “The Monterey Peninsula Water System Local Ownership ~~and Cost Savings Feasibility Study~~ Initiative”
- Impartial Analysis drafted by County Counsel
- Arguments For/Against and Rebuttals drafted by proponents and signed individually by citizens
- Available to view at [www.mpwmd.net](http://www.mpwmd.net)

# Measure J - Wrinkles

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- Eminent domain requires 2 trips to the courts: 1) bench trial to show public necessity, 2) jury trial on value.
- What is “feasible”?
- Quality of data
- Method of valuation
- Other Monterey District assets
- Severance

# Relation of MPWSP and Measure J

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## MPWSP

- Known course within 6-9 months
- Cal-Am obliged to meet milestones
- Would likely be complete before eminent domain resolved

## Measure J

- Feasibility not known until 9 mo
- Eminent domain could take 4-5 years
- Unlikely to stop MPWSP



# Conclusions

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- MPWSP hinges on legal proceedings
- PWN Initiative doesn't directly affect MPWSP
- Eminent domain is lengthy and has many wrinkles
- Questions?

