

LAW OFFICES OF  
**MICHAEL B. POYNOR**

GOVERNOR  
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February 4, 1994

Ms. Karen Dorff  
MWD Executive Secretary  
350 So. Grand - 3rd Floor  
Los Angeles, CA 90071

**VIA FEDERAL EXPRESS**

**RE: OBJECTIONS TO APPROVAL OF FSEIR  
EASTSIDE RESERVOIR PROJECT  
STATE CLEARINGHOUSE NUMBER 93081106**

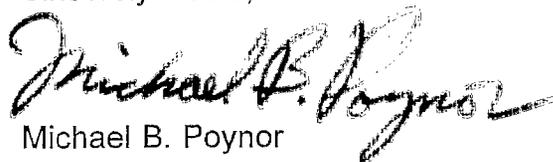
Dear Ms. Dorff:

Enclosed is an original and 60 copies of my letter to the MWD Board of Directors dated February 4, 1994. The enclosed letter is written on behalf of my clients (Mr. and Mrs. Edward W. Dilginis) who own property to be affected by the proposed project.

Please distribute these copies to each member of the MWD Board on Monday February 7, 1994 so the members can have it for the hearing on February 8, 1994 on the matter of certification of the Final Supplemental Environmental Impact Report (FSEIR) for the above referenced project.

Thank you in advance for your cooperation and assistance.

Sincerely Yours,

  
Michael B. Poynor

MBP: sc  
Enclosures:  
cc: Mr. and Mrs. Edward W. Dilginis

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Board of Directors  
Metropolitan Water District So. Cal.  
350 S. Grand - 3rd Floor  
Los Angeles, CA 90071

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**VIA FEDERAL EXPRESS**

**RE: OBJECTIONS TO APPROVAL OF FSEIR  
EASTSIDE RESERVOIR PROJECT  
STATE CLEARINGHOUSE NUMBER 93081106**

Dear MWD Board of Directors:

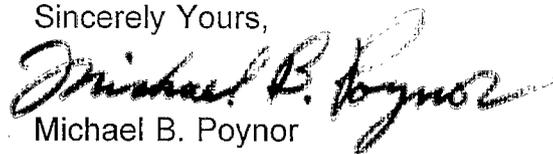
On behalf of Mr. and Mrs. Edward W. Dilginis (owners of MWD Parcel 251, the site for proposed Alternative 1 Secondary Inlet Feeder), I object to your Board's approval of the *Final Supplemental Environmental Impact Report for the Domenigoni Reservoir Project* (FSEIR) dated February 1994. We have not had sufficient time to review the FSEIR delivered earlier this week. Prior scheduling commitments prevent our appearance at your L.A. meeting of February 8, 1994 to certify the FSEIR.

We believe that MWD staff has not adequately responded and/or dealt with the written comments submitted in my client's letter of January 20, 1994. MWD staff appears more concerned about rushing Board approval than properly responding to the comments and allowing circulation of the FSEIR for added public review.

The FSEIR is legally and factually insufficient under CEQA for the reasons stated in our prior comments. MWD's responses in the FSEIR are still inadequate on the following: **1)** fractured rock/water seepage can bring instability when loaded with a 12 foot tunnel and high pressure water pipe at Alternate 1; **2)** no adequate on site geology has been done to determine tunnel and pipeline safety issues on parcel 251; **3)** secondary feeder pipeline alternatives were not adequately discussed, no area houses were depicted; **4)** no adequate on site biological review has been made on parcel 251, sensitive plant and animal presence has been ignored; **5)** no adequate review has been made of the effects of the October 1993 25,000 acre Winchester wildfire; **6)** there were 101 reported cases of Valley Fever in Riverside County since 1990; **7)** mitigation plans cannot substitute for doing a proper environmental review in the first place; **8)** staff has suppressed information needed for valid public review.

Please refuse to approve the FSEIR until it is circulated for one additional month to allow further information gathering and public review, and until another public hearing is held to discuss all comments contained in the FSEIR.

Sincerely Yours,

  
Michael B. Poynor

MBP: kw / cc: Mr. and Mrs. Dilginis