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Sent: Sat, May 7, 2022 at 9:17 AM
Subject: MCWD Public Hearing on Adopted Recycled Water Rates

May 7, 2022

Board of Directors

Marina Coast Water District

11 Reservation Rd

Marina, CA 93933

Dear Directors:

Comments & Questions on Recycled Water Rates at MCWD Public Hearing on May 16, 2022

The key question, not a sensational catchphrase, is whether POTABLE water ratepayers want to pay 30 percent more for their monthly water bills while not using any recycled water and to subsidize recycled water customers as discussed below.

I would like to submit written comments and questions on the adopted recycled water rates at this public hearing as shown below. I would like my questions to be read aloud and answered at this public hearing.

1. At the special meeting on March 29, 2022 Marina Coast Water District (MCWD) Board of Directors approved the Recycled Water Rate Study prepared by its consultant, Raftelis, and set a public hearing on May 16, 2022.

This approved rate study shows an annual purchase of 1,427 acre-feet per year (AFY) from Monterey One Water (M1W) for the next 5 years, from 2023 to 2027, and the recycled water rates are based on these unverified or fake annual amounts of usage as shown below.

a) Can the District post the executed agreements where Monterey One Water is obligated to produce and deliver 1,427 AFY of recycled water to Marina Coast Water District from 2023 to 2027 and let me and the public know the link where we can download these documents?

b) Or is this 1,427 AFY of recycled water just an imaginary or fake number without any backup document to verify that it can actually be delivered by Monterey One Water to Marina Coast Water District from 2023 to 2027?

2. At the same March 29, 2022 special Board meeting, Mike McCullough, a M1W employee, stated that Monterey One Water is obligated to deliver only 600 AFY of recycled water to Marina Coast Water District in accordance with the executed agreements as part of the original Pure Water Monterey Project or Phase 1. He delivered an official letter from M1W General Manager, Paul Sciuto, to MCWD General Manager to support his statement. He also stated that in order for Marina Coast Water District to receive the additional 827 AFY of recycled water Marina Coast Water District must enter into a new agreement with Monterey One Water and environmental documents must be prepared and approved for this additional 827 AFY of recycled water for a total of 1,427 AFY.

a) Can the District post this letter from M1W on your website or includes it in the Minutes of the March 29, 2022 special meeting?

b) Can the Board explain the real conflict in the amounts of recycled water between 600 AFY and 1,427 AFY? Which amount is actually available from 2023 to 2027?

c) If the amount of available recycled water is only 600 AFY, will MCWD Board redo the recycled water rate study to reflect the actual volumes of 600 AFY available from 2023 to 2027, NOT the FAKE 1,427 AFY as assumed in the approved Recycled Water Rate Study?

d) Will Marina Coast Water District sue Monterey One Water to obtain the additional 827 AFY of recycled water from the Pure Water Monterey Expansion Project or Phase 2?
Or will Marina Coast Water District Board of Directors refuse to allow Monterey One Water to use MCWD-owned transmission pipeline to carry the additional 2,250 AFY for the Pure Water Monterey Expansion Project or Phase 2?

3. Figure 5-1, Recycled Utility Cash Flow, of the approved Recycled Water Rate Study shows the amounts of money ALL potable water users must annually pay for the recycled water costs that at least 99 percent of them do not even use a drop of recycled water from 2021 to 2027.

The District argues that it will recharge groundwater aquifers with recycled water that benefits all potable water users even though NO environmental document has been prepared and approved for such groundwater recharge project and NO approval from State agencies has been obtained for such recharge project. It is unlikely that MCWD can recharge any recycled water in 2023 or even in 2027 since the preparation of environmental documents, and the approval and permitting process will take at least a few years which is similar to the Pure Water Monterey project and NO recycled water is available from Monterey One Water as explained in the letter from M1W.

a) Can the District provide all information on the planned groundwater recharge project such as recharge locations, dates of approval of environmental documents, approved permits, construction schedules, earliest operating dates, approved project funding?

b) Is it the true and real reasons that the District charges potable water users for recycled water expenses in order to lower the prices of recycled water since the groundwater recharge project is only a ghost, fake, and unreal project?

4. The total subsidies from potable water customers from 2021 to 2027 is \$18,444,572 as shown in Figure 5-1.

a) When will MCWD inform all POTABLE ratepayers of these subsidies and the total costs of the proposed recharge project that potable water customers must pay?

b) How and when MCWD potable ratepayers can provide comments on these subsidies or groundwater recharging costs?

c) What are the legal basis for potable water users to pay for and subsidize the recycled water expenses when there is NO recharge water project and when there is NO available recycled water to recharge?

d) How does MCWD plan to charge potable water users more to lower the recycled water costs for the next 5 years, from 2023 to 2027, when there is NO recharge project?

e) How does MCWD plan to charge potable water users more to lower the recycled water costs for the next 5 years, from 2023 to 2027, when the groundwater recharge project only operates in 2027?

f) Where do the funds to prepare for environmental documents, land acquisition, if any, design, permitting, testings, construction, inspection of the proposed groundwater recharging project come from? Can the District show the sources of these funds and the actual amounts in any approved financial documents such as the approved District budgets?

g) Additionally, can the District show the operating and maintenance costs of the groundwater recharge project? And the fund sources for the recharge projects including operating and maintenance costs?

h) Since only 600 AFY of recycled water is available to MCWD as explained in the said letter from Monterey One Water and the approved Recycled Water Rates Study assumed 1,427 AFY is available, is the 827 AFY of recycled water imaginary, unreal or fake amount?

As shown in the approved Recycled Water Rate Study, does MCWD use unapproved fund to purchase imaginary and not-available recycled water for an imaginary or fake groundwater recharging project?

5. In 2022 potable water users must pay about 4.2 million dollars to subsidize recycle water users when there is NO groundwater recharge project. This amount is about 30 percent of total water sales of MCWD in 2021 and was not allocated nor shown in the approved 2021-2022 budget. Therefore, existing potable users must pay about 30 percent more to fund this subsidy.

a) How will MCWD Board find 4.2 million dollars to pay for the recycled water expenses in the 2022 fiscal year?

b) Will potable water rates be increased 30 percent in 2022 to provide these subsidies?

c) MCWD Director of Administrative Services stated at the Board special meeting of March 29, 2022 that if MCWD could not find the 4.2 million dollars in the approved 2021-2022 approved budget, MCWD will increase the water rates in 2023 to pay for the unallocated expenses of the recycled water project? Is this the approved Board approach to pay for the expenses?

6. The notice of public hearing for the adopted recycled water rates misleads MCWD ratepayers in believing that the public hearing is ONLY about proposed rates for recycled water only. The notice did NOT provide any information on the subsidies provided by potable water customers in the amount of over 18 million dollars to lower the proposed rates of the recycled water from 2021 to 2027 and pay for the non-existent groundwater recharge project.

Therefore, potable water customers may not attend the May 16, 2022 meeting to provide comments or protest on the subsidies.

How will MCWD inform all potable water ratepayers that the proposed recycled water rates DID affect them financially?

7. Once MCWD Board of Directors approves the proposed recycled water rates, the approval also includes the approval of subsidies from potable water customers. Potable water customers will not be aware of the approved subsidies hidden in the proposed recycled water rate calculations. How can potable water users undo the board approval since it involves about 18 million dollars of their payments?

8. The approved 2022 Recycled Water Rate Study used data from the 2018 Water Rate Study. The Monterey Superior Court has ruled the MCWD 2018 Water Rate Study invalid and MCWD did not appeal this ruling. However, MCWD continues to use the invalid 2018 Water Rates to charge its potable water customers since 2019.

a) What are the reasons for MCWD to use the invalid 2018 Water Rate Study data for this 2022 Recycled Water Rate Study?

b) Will MCWD continue to ignore the Court ruling and show disrespect to the Court in charging customers with the invalid 2018 Water Rates since 2019?

9. East Garrison, Sea Haven and the Dunes project agreed to use recycled water when available and MCWD needs to charge recycled water at costs per executed infrastructure agreements. Why does MCWD Board charge lower subsidized recycled water rates for these projects?

10. There is NO agreement with Seaside golf courses nor Seaside Campus projects on the use of recycled water. Therefore, why does MCWD charge lower subsidized recycled water rates for these projects? What are the reasons for potable water users to subsidize these projects since the proposed groundwater recharge project does not exist?

11. Monterey Peninsula Unified School District (MPUSD) has no agreement to use recycled water provided by MCWD. Therefore, it's cheaper for MPUSD to continue to use potable water for their sport fields and there is no need to reconstruct the irrigation system, post warning signs, and dig up Carmel Ave again to get connections to the existing recycled water pipes on Carmel Avenue. Additionally,

MPUSD does not need to educate staff, students and community members who use the playing fields that are irrigated with recycled water, even though it is treated by advanced methods.

a) Will MCWD Board require or force MPUSD to use recycled water to irrigate their sport and playing fields?

b) What will MCWD do if MPUSD refuse to use recycled water for their playing fields?

c) Why didn't MCWD provide recycled water to Los Arboles sports field?

12. California State University at Monterey Bay (CSUMB) had agreement with MCWD where MCWD will charge recycled water at a price of the 2013 potable water rate. The 2013 potable water rate is much lower than the subsidized recycled water rates and the actual no-subsidized rates. Therefore, all potable water users will subsidize CSUMB for the recycled water costs. When will MCWD be able to charge CSUMB the actual at-cost and non-subsidized recycled water rates?

13. From 2021 to 2027 there is no real or feasible groundwater recharge project. Therefore, does MCWD arbitrary and artificially lower the recycle water rates to seduce recycled water users at the expense of potable water customers and without any input from potable water users?

14. Why doesn't MCWD negotiate to sell all unused recycled water to Monterey Peninsula Water Management District and/or Seaside Groundwater Basin AT COST to reduce financial impacts to existing potable water users? Please see comments and questions below for more information on this question.

15. As stated above, currently M1W only has agreement to supply MCWD with 600 AFY of recycled water from the existing advanced water treatment plant, or phase 1 of the Pure Water Monterey Project. The approved EIR/EIS and the supplemental EIR/EIS for the Pure Water Monterey Projects described this 600 AFY delivery.

In phase 2 or the expansion of the existing plant for the Pure Water Monterey (PW) Expansion Project, the entire 2,250 AFY of available recycled water is allocated entirely to Cal Am and NO recycled water is allocated for MCWD.

The 827 AFY of recycled water MCWD asks for in the PWM Expansion project (Phase 2) in addition to the allocated 600 AFY in the original PWM Project (Phase 1) for a total of 1,427 AFY as shown in the approved Recycled Water Rate Study must be produced from a NEW advanced treatment plant. And new environmental documents must be prepared and approved for this new plant, and NEW construction plans and permits must be obtained for this new advanced treatment plant.

a) Will MCWD sue Monterey One Water to obtain the additional 827 AFY of recycled water as part of the Pure Water Monterey Expansion project?

b) What will MCWD Board of Directors do if Monterey One Water refuses to provide MCWD with 827 AFY of recycled water as part of the PWM Expansion project or Phase 2?

16. If MCWD Board of Directors approves the use of its own transmission pipeline to carry the additional 2,250 AFY of recycled water produced from the PWM Expansion project or phase 2, then

there is no capacity left in the MCWD owned transmission pipeline to carry the additional 827 AFY from the NEW treatment plant.

a) Will MCWD Board approve and allow Monterey One Water (M1W) to use MCWD own transmission pipeline to carry the additional 2,250 AFY and allow M1W to use 100 percent capacity of the existing MCWD-owned pipeline?

b) Will MCWD agree to pay Monterey One Water to build a NEW advanced water treatment plant to produce the additional 827 AFY of recycled water for MCWD?

c) Will MCWD construct and pay for a new transmission pipeline to carry the new 827 AFY of recycled water for the MCWD groundwater recharging project?

17. Tom Moore was elected as vice president of Monterey One Water this year. Will this election cloud Tom Moore's judgment? Will Tom Moore rubber stamp and vote for M1W to use of the MCWD-owned transmission pipeline to carry the additional 2,250 AFY for the Monterey Peninsula at the expense of MCWD ratepayers?

Are Monterey Peninsula elected officials and ratepayers smarter than Marina elected officials and ratepayers?

18. MCWD appears to be a sucker again. Previously, MCWD spent over twenty million dollars on the failed regional desalination project and received zero drop of desal water.

While it cost Monterey One Water about \$3,000 for each acre-foot of advanced treated or recycled water, it cost MCWD about \$5,000 per acre-foot for the same recycled water, mainly to subsidize Monterey Peninsula users. Can MCWD Board explain this cost difference to all its ratepayers? Or does MCWD Board even know?

a) Will MCWD suffer another blunder in participating in the Pure Water Monterey Expansion Project?

b) Will MCWD receive only 600 AFY of recycled water for both the original Pure Water Monterey (PWM) project and the PWM Expansion project?

c) Will MCWD have to pay for a NEW treatment plant to treat and produce the additional 827 AFY to get a total of 1,427 AFY of recycled water used in the adopted Recycled Water Rate Study?

d) Will MCWD allow Monterey One Water to use 100 percent capacity of the MCWD-owned transmission pipeline for both Pure Water Monterey projects?

e) Will MCWD have to construct a NEW transmission pipeline to carry its own 827 AFY of recycled water since the existing MCWD-owned transmission pipeline does not any capacity left from the use by M1W?

f) Why do MCWD ratepayers and local group such as Citizens Just for Water continue to support the Pure Water Monterey Expansion Project at the expense of MCWD ratepayers? And do they support an increase of 30 percent in MCWD water rates in 2022 and beyond to subsidize the recycled water users?

19. How much money that Marina Coast Water District has spent to bring recycled water to Glorya Jean Tate park? Was it over two million dollars?

a) How much money City of Marina has spent on constructing the recycled water irrigation for this park?

b) Did Marina Coast Water District know that City of Marina will demolish this park to construct new bicycle pump tracks and will no longer need that much recycled water? When did City of Marina notify Marina Coast Water District on the change of use of this park?

c) Does Marina Coast Water District still include the full amount of recycled water used for this park in the rate study?

20. Can either the MCWD Board, General Manager, District Counsel, or any staff cite any written requirements from any adopted Groundwater Sustainability Plan or any SGMA laws or regulations or any federal or state laws that requires Marina Coast Water District to implement groundwater recharge projects starting in 2023 and not later?

a) If there is NO such requirement, what are the negative impacts to the District if the District implements the groundwater recharge project later in 2028 or in 2032?

b) What are the positive impacts to the District if the groundwater recharge project is actually implemented in 2028 or in 2032?

21. Can either the MCWD Board, General Manager, District Counsel, or any staff cite any law, regulation, or agreement that prohibits Marina Coast Water District to continue pumping groundwater from the allocated 3,500 AFY for Central Marina and from 6,600 AFY for the Ord Community?

a) If there is no such prohibition, what are the negative impacts to the District if the District continues the groundwater pumping until it reaches 80 percent or higher of the allocated amounts?

b) What are the positive impacts to the District if the District continues the groundwater pumping until it reaches the allocated limits or 90 percent of the allocated limits?

c) For the last 10 years, MCWD pumped the largest amounts of potable water from underground aquifers in 2013. In 2013 MCWD pumped 1,738 acre-feet for Central Marina and 2,332 acre-feet for the Ord Community for a total of 4,070 acre-feet.

Central Marina is allocated a maximum pumping amount of 3,500 acre-feet per year. The Ord Community is allocated a maximum pumping amount of 6,600 acre-feet per year for a total maximum pumping amount of 10,100 acre-feet per year.

Therefore, MCWD pumped a maximum of only 40 percent of the allocated amount in 2013 and about 30 percent in 2021.

Can the Board list the real benefits to all ratepayers in starting the groundwater recharge projects in 2023 and not later?

Can the Board also list the benefits to all ratepayers if the District waits to start the underground water recharge project in 2028 and in 2033 or later?

22. If the District implements the groundwater recharge in 2023, can the District provide detailed information on the project such as what the aquifers the District is recharging?

- a) Has the District prepared environmental documents for the groundwater recharge project?
- b) What are the approval dates of these environmental documents and construction plans?
- c) Has the District obtained all required Federal and State approvals and permits for any groundwater recharge project?
- d) What is the estimated TOTAL cost of the groundwater recharge projects?
- e) Can the District describe all sources of funding for the groundwater recharge projects?
- f) Are these sources of funding shown in any approved or draft District budget?

I request that the Dist at least address questions on the fake 1,427 AFY of available recycled water, the unreal and not-yet-approved groundwater recharge projects, and the subsidies at this public hearing

Sincerely,

Peter Le

cc: Marina City Council

Board of Trustees, Monterey Peninsula Unified School District



NOTICE OF PROPOSED RECYCLED WATER RATES FOR THE MARINA COAST WATER DISTRICT

NOTICE OF PUBLIC HEARING

A public hearing for the proposed recycled water rates will be held on:
Date: Monday, May 16, 2022 **Time:** 7:00 p.m.
This meeting may be accessed remotely using the following Zoom link:
Link: <https://us02web.zoom.us/j/89768695550?pwd=aExTNlVuc3h5cERoWU1SNFR1bjkxQT09>
Passcode: 171822
To participate via phone: 1-669-900-9128 **Meeting ID:** 897 6869 5550 **Passcode:** 171822

Figure 5-2: FY 2023 Revenue by Customer

Line	FY 2023 Potable Responsibility Detail	Forecasted Recycled Rate Revenue	Potable Utility Responsibility	COS Allocated Amount
Recycled Rate Revenue				
1	Fixed Charge Revenue	\$ 35,517	\$ 68,740	\$ 104,257
2	Volume Charge	1,364,300	308,532	1,672,831
3	University	232,097	30,841	262,938
4	Potable Utility Use		2,272,764	2,272,764
5	SRF Reserve Funding		638,254	638,254
6	Total	\$ 1,631,914	\$ 3,319,132	\$ 4,951,046

Figure 2-7: Revenue Requirement Summary

Line	Required Revenue	FY 2022	FY 2023	FY 2024	FY 2025	FY 2026	FY 2027
		Forecast	Forecast	Forecast	Forecast	Forecast	Forecast
Treatment							
1	MCWD Share of M1W O&M	\$ 1,580,393	\$ 1,659,413	\$ 1,742,384	\$ 1,829,503	\$ 1,920,978	\$ 2,017,027
2	MCWD Share of Renewal Replacement	212,011	224,732	238,216	252,509	267,660	283,719
3	MCWD Share of M1W SRF	732,474	732,474	732,474	732,474	732,474	732,474
4	MCWD Share of SRF Reserve	732,474	-	-	-	-	-
5	Subtotal	\$ 3,257,353	\$ 2,616,619	\$ 2,713,074	\$ 2,814,486	\$ 2,921,111	\$ 3,033,220
Transmission							
6	MCWD SRF	518,098	819,678	820,483	819,885	820,633	820,633
7	MCWD Share of MCWD O&M	11,973	12,572	13,201	13,861	14,554	15,281
8	M1W Share of Existing Pipeline	(33,413)	(33,413)	(33,413)	(33,413)	(33,413)	(33,413)
9	Debt Service Reserve	-	302,408	-	-	-	-
10	Subtotal	\$ 496,658	\$ 1,101,245	\$ 800,270	\$ 800,332	\$ 801,773	\$ 802,501
Distribution							
11	MCWD O&M	\$ 291,476	\$ 306,050	\$ 321,352	\$ 337,420	\$ 354,291	\$ 372,005
12	MCWD SRF	-	335,846	335,846	335,846	335,846	335,846
13	Debt Service Reserve	-	335,846	-	-	-	-
14	Subtotal	\$ 291,476	\$ 977,743	\$ 657,199	\$ 673,266	\$ 690,137	\$ 707,852
Additional Costs							
15	MCWD Administration Overhead	\$ 195,656	\$ 205,439	\$ 215,711	\$ 226,497	\$ 237,822	\$ 249,713
16	Reserve Funding	-	50,000	50,000	50,000	50,000	-
17	SRF Reserve Payback	-	(638,254)	212,751	212,751	212,751	-
18	Subtotal	\$ 195,656	\$ (382,815)	\$ 478,463	\$ 489,248	\$ 500,573	\$ 249,713
19	Total: Expenses	\$ 4,241,143	\$ 4,312,791	\$ 4,649,005	\$ 4,777,333	\$ 4,913,595	\$ 4,793,285
	<i>Increase</i>		1.7%	7.8%	2.8%	2.9%	-2.4%
					FY22 - FY27 CAGR		3.11%

☰ 5. Financial Plan Forecast

projected at 800 AF in FY 2023 and 752 AF in FY 2027.

Figure 5-1: Recycled Utility Cash Flow

Financial Plan Summary	Projected Financial Plan						
	FY 2021	FY 2022	FY 2023	FY 2024	FY 2025	FY 2026	FY 2027
Recycled Rate Revenue							
Retail	\$ -	\$ -	\$ 82,902	\$ 265,964	\$ 493,164	\$ 510,713	\$ 528,949
Golf Course	-	-	1,316,915	1,363,059	1,411,443	1,461,839	1,514,248
Contractual	-	-	-	-	-	-	-
University	-	-	232,097	236,739	239,106	241,497	243,912
Total: Rate Revenue	\$ -	\$ -	\$ 1,631,914	\$ 1,865,762	\$ 2,143,713	\$ 2,214,049	\$ 2,287,108
Expenses							
Treatment	\$ 382,615	\$ 3,257,353	\$ 2,616,619	\$ 2,713,074	\$ 2,814,486	\$ 2,921,111	\$ 3,033,220
Transmission	517,351	496,658	1,101,245	800,270	800,332	801,773	802,501
Distribution	-	291,476	977,743	657,199	673,266	690,137	707,852
Overhead	-	195,656	205,439	215,711	226,497	237,822	249,713
Contribution to Reserves	-	-	50,000	50,000	50,000	50,000	-
Total: Expenses	\$ 899,966	\$ 4,241,143	\$ 4,951,046	\$ 4,436,254	\$ 4,564,581	\$ 4,700,843	\$ 4,793,285
Net: Potable Responsibility	\$ 899,966	\$ 4,241,143	\$ 3,319,132	\$ 2,570,492	\$ 2,420,868	\$ 2,486,794	\$ 2,506,177

Figure 5-2 provides more detail for FY 2023, the first year of service, and recycled water rates. The potable utility responsibility for fixed charge revenue, shown in Line 1, is the difference between the COS allocated amount determined in Figure 4-2 and the actual amount collected from retail customers in this year; the same explanation applies for Line 2. Line 3 is the difference between the cost of providing service to the university, calculated at the average of \$6.94 / CCF for approximately 38,000 CCF, and the amount the university is required to pay per the existing contract. The Potable Utility Responsibility



Figure 3-2: Forecast of Recycled Water Volume

Line	Water Sales Summary	FY 2022	FY 2023	FY 2024	FY 2025	FY 2026	FY 2027
		Forecast	Forecast	Forecast	Forecast	Forecast	Forecast
Volume (Ccf)							
1	Retail	-	9,822	29,758	57,062	57,062	57,062
2	Golf Course	-	199,069	199,069	199,069	199,069	199,069
3	University	-	37,897	37,897	37,897	37,897	37,897
4	Contractual Customers	-	-	-	-	-	-
5	MCWD Utility Use	-	374,813	354,877	327,573	327,573	327,573
6	Total Purchased	-	621,601	621,601	621,601	621,601	621,601
Volume (AF)							
7	Retail	-	23	68	131	131	131
8	Golf Course	-	457	457	457	457	457
9	University	-	87	87	87	87	87
10	Contractual Customers	-	-	-	-	-	-
11	MCWD Utility Use	-	860	815	752	752	752
12	Total Purchased	-	1,427	1,427	1,427	1,427	1,427

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