



March 10, 2019

Jon Rokke, Water Resource Control Engineer Central Coast Water Board  
895 Aerovista Place, Suite 101  
San Luis Obispo, CA 93401

RE: PROPOSED UPDATE TO WASTE DISCHARGE REQUIREMENTS AND WATER  
RECYCLING REQUIREMENTS ORDER NO R3-2014-0050

Greenspace would like to submit the following comments and concerns regarding the Water Boards past, present and future actions on the Cambria CSD's "Emergency" water project.

### **GREENSPACE WATER POLICY 2011**

***Our Mission:** The North Coast area of San Luis Obispo County is a national treasure. Greenspace will protect and enhance its ecological systems, cultural resources and marine habitats through land acquisition and management, public education and advocacy.*

In keeping with our mission the Greenspace Directors support policies and promote programs that provide Cambria residents and businesses a reasonable amount of water without doing further harm to the watersheds, forest, fisheries, and other water dependent resources we treasure. Increased urbanization and development directly affect Cambria's sensitive forest and marine ecology. We support an environmentally sound, comprehensive and integrated water strategy that includes elements of both supply augmentation and demand reduction.

**Water is a limited resource.** We support conservation and efficient water use as the preferred means of securing water supply and managing demand.

**We are located in a sensitive environment.** We support the precautionary principle that water policies and construction projects entail the least practicable harm to the environment with minimal reliance on mitigation.

### **THEREFORE,**

**We need to expand conservation efforts**—including washing machine rebates, limiting outdoor irrigation, incentivizing drought resistant landscaping, increased water storage, infrastructure maintenance and water recycling.

**We need to explore storage alternatives and regional solutions**

**We need to reexamine solutions to Cambria's long term water requirements.** The Kennedy/Jenks *Assessment of Long-Term Water Supply Alternatives* of 2004, needs to be independently reviewed and the alternatives reevaluated by a qualified and impartial group in light of new information and circumstances.

### **History of CSD project:**

In January of 2014, Governor Jerry Brown declared a water emergency due to a severe drought that was then entering its fourth year. Taking advantage of the Governor's suspension of the California Environmental Quality Act (CEQA) during this time, and even though well levels were above historical average, the Cambria CSD claimed that Cambria would run out of water and immediately declared a Stage 3 water emergency to avoid CEQA on an ill defined project that has yet to be fully and appropriately permitted.

At the time, San Simeon and Santa Rosa Creeks were listed in the CASGEM as being "very low priority" in the 2014 drought. Santa Rosa Creek was listed at #403 of 515 basins *State Wide*, and San Simeon Creek was listed as #512 very low priority out of 515 basins.<sup>1</sup> Yet the Cambria CSD was allowed to start construction on an emergency brackish water, reverse osmosis desalination plant located between two coastal creeks that contain threatened and endangered species, in highly protected areas surrounded by CA State Parks campgrounds with no Environmental Impact analysis and only the Central Coast Regional Water Board permits in hand.

There were 14 other statewide projects that were approved using CEQA exemptions allowed under the Gov's Declaration in 2014. All of these other emergency water projects cost less than \$500,000 as shown below.

- Siskiyou county: new pump station and new piping to the city's water plant (\$400,000)
- Tulare county: portable pump (\$60,000 in rental costs)
- Santa Clara county, Los Altos: upgrading old pump, repairing leaks, rehabilitate existing well, haul water from a nearby water system to augment existing water supply (\$400,000)
- Madera county project for Dixieland Elementary School: delivering bottled water to students/staff, replacing old pump (\$22,000)
- Santa Clara county, Lexington: potable water hauling in the interim until the creek is flowing again, installation of a water tank (\$100,000)
- Santa Clara county, Gilroy: build one new well (\$70,000)
- Merced county: drill one "small well" and install a well casing (\$200,000)
- Mendocino county: survey & locate viable well drilling locations and drill wells in those locations (\$400,000)
- Tulare county: installation of a new tank and pump (\$200,000)
- Merced county, Volta: replace existing pump and replace old tube-lines (\$40,000)

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<sup>1</sup>(Table of Basins)[https://water.ca.gov/LegacyFiles/groundwater/casgem/pdfs/lists/StatewidePriority\\_Abridged\\_05262014.pdf](https://water.ca.gov/LegacyFiles/groundwater/casgem/pdfs/lists/StatewidePriority_Abridged_05262014.pdf)

- Madera county project for Alview school: drill one well and install new tank and pump (\$200,000)
- Madera County, Fairmead: install a temporary pump and piping, remove and evaluate old pump, and replace broken pipes/fix leaks (\$80,000)
- Madera County, Madera: remove and evaluate old pump, inspect existing well, repair/replace old pipes, haul water during the time when the well is out of service (\$50,000)
- Amador county: drill a replacement well

The 2014 emergency projects listed above were inexpensive, reasonable, could be achieved quickly and provided immediate drought relief for those communities with little to no impact on the environment. Cambria CSD's complex project was not vetted in the community, had no environmental analysis or permitting, was based on faulty and insufficient data, and resulted in an improperly engineered response to a water resource issue that could have been provided with other, smaller and more cost-effective solutions like the ones shown above. Had a real emergency existed in Cambria, the Cambria "emergency project" would never have abated it. It has injected potable water into the ground but it is highly unlikely that water ever entered our water taps during the drought.

#### **Current:**

Regional board staff hours and ratepayer increases continue to add up month after month, year over year even though the project remains idle. Environmental justice is a consideration today, but cost was not considered at the time this project was being allowed. Although Cambria is considered a very wealthy community, many of our residents live below the poverty line working in hotels, motels, restaurants that serve the tourism industry and many residents are elderly relying on monthly social security checks. The cost of this project has ballooned to \$20 million or more and rising with operation costs of hundreds of thousands per year even though the project is idle.

Construction on this public works project continues to this day due to the many violations it has received requiring revisions including adding a dechlorination system, removing the multi-million brine waste evaporation pond and hauling the brine waste to an "appropriately regulated disposal facility"; a plan which has also not received an Environmental Review or cost analysis.

Cambria's issues now 'spill' over into neighboring jurisdictions. Cambria has agreed this brine waste might be trucked to the South San Luis Obispo County Sanitation District (SSLOCSD).

*In a November 2018 letter (attached) to the Regional Board, SLO Surfrider wrote they were "also concerned with the accelerated use of the SSLOCSD's ocean outfall to dump brine waste and how the brine is trucked in, sampled, and discharged. According to Order No. R3-2009-0046, in 2008 SSLOCSD discharged 325,000 gallons of brine waste. A SSLOCSD Staff Report from January 2018 shows the District discharged*

*almost 3 million gallons of brine waste in 2017. So, in 10 years, SSLOCSD increased their amount of brine discharge by over 900 percent!*

*We understand the SSLOCSD is permitted to discharge 50,000 gallons of brine per day, though on average they discharge 8,000 gallons per day. Thus, SSLOCSD is presently permitted to discharge over 5000 percent more brine than discharged in 2008.”*

Addition Surfrider concerns with the trajectory of SSLOCSD’s Brine Discharge Program (Draft Order No. R3-2019-0002 are outlined here:

- *SSLOCSD’s Standard Operating Procedure for their Brine Discharge Program asks the brine truck driver (their customer), to pull a sample from the brine load and deliver it to the District’s State-certified Laboratory Technician. The District contends it is not safe for District employees to pull the sample themselves. We believe brine sampling should be conducted by SSLOCSD trained and State-certified technicians, as this process would be more protective of our ocean ecosystem and compliant with Draft Order No. R3-2019-0002, Attachment E, Section 1A.*

- *Brine is discharged directly to SSLOCSD’s ocean outfall from the brine truck. We believe the brine discharge should be removed from the truck, sequestered, mixed, inspected, sampled and tested before being discharged to the ocean. Further inspection will help protect our ocean ecosystem and remove the possibility of involving the District in a potentially criminal act of illegal discharge shown in Section III (Discharge Prohibitions) of Draft Order No. R3-2019-0002.*

- *The accelerated permitting of truck traffic for brine discharge at SSLOCSD is having unmitigated impacts on our community and watershed. Prior to last year, brine trucks were instructed to enter along paved roads and through the secure main gate at SSLOCSD. As such, SSLOCSD’s standard procedure called for secure inspection of trucks entering the facility along paved roads. However, in 2017, the District instructed brine truck drivers to enter along a route passing south of Oceano Airport near the Arroyo Grande Creek channel, through chained gates bordering homeless encampments, along a route that is unpaved and has not been studied for potential environmental impacts of additional truck traffic. Our chapter remains extremely concerned about the impacts brine trucks have on the Arroyo Grande Creek watershed. Prior to permitting the Draft Order No. R3-2019-0002, we ask the Board to require SSLOCSD to return to standard access and re-route brine truck traffic through the secure main gate with paved roads. Before permitting access along the alternative route, the route should be studied for appropriate brine truck size, frequency, and security of access. If permitting is not restricted in such a*

*way, SSLOCSD might increase brine truck traffic by 5000% along an unstudied, unpaved road through the Arroyo Grande Creek watershed. We hope you agree that access to ocean outfall should not degrade quality of life in surrounding neighborhoods or risk the health of surrounding watersheds.*

Greenspace agrees with the above concerns made by SLO Surfrider and asks the Regional Board to require a detailed analysis (cost, feasibility, traffic and road impacts, noise, carbon footprint, air quality etc) of the environmental impacts of trucking brine waste from San Simeon Creek Road in Cambria, to South San Luis Obispo County, or any other “appropriately regulated disposal facility”. If the complete analysis and costs of brine waste disposal had been required prior to approvals of the Cambria CSD’s construction of the project, the CSD may have pursued a less costly, less environmentally damaging alternative like other communities did in 2014 such as drilling a new well, repairing our leaking infrastructure, or simply reducing demand.

**Conditions needed:**

Greenspace is grateful that the staff report continues to refer to this project as the “Emergency Water Project” rather than the Cambria CSD’s name change to “Sustainable Water Facility”; which is a new project designed to lift the decades old building moratorium. We ask that the Regional Board confirm that the project is an “Emergency Water Project”, which is only permitted to run during a CSD declared Stage 3 Water emergency (as defined in CSD ordinances as of January of 2014), for existing customers only and that it is not a project that will allow new water connections to a system that has been unreliable since 1999. This project has not been proven to provide water during an actual emergency for existing customers only for 6 months during an actual drought. As your staff report indicates, the rate of pumping that can be allowed continues to be reduced from 437 gallons per minute (gpm) to 406.9 g.p.m. to only 400 g.p.m. in today’s report to avoid impacts to the environment. Our organization is very concerned that if the project is allowed to serve new connections it will lower the water table and stream flow in both San Simeon and also to Santa Rosa Creeks which could result in unpermitted ‘take’ of endangered species, subsidence and resulting aquifer collapse.

Greenspace is very concerned about the Cambria CSD’s continued failure to obtain a regular Coastal Development Permit on this project, which should have been done within 30 days of receiving Emergency Permit ZON2013-00589 in May of 2014. This five year delay has resulted in serious, ongoing, unmitigated harms in this ESHA environment surrounding the plant, to the watershed, wildlife and habitat as well as to visitors at CA State Parks and the surrounding camping and ranch areas. We believe that the environment and coastal creeks will only be protected through the process of obtaining the regular Coastal Development permit and

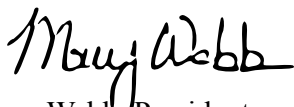
a regular environmental review process that should be mandatory for any multi-million dollar public works projects such as this.

Greenspace requests that your agency require the Cambria CSD to apply for new permits from the Regional board and an Environmental Impact Report if they pursue a project that would allow new water connections to this system. Appropriate mitigations would include Habitat Conservation Plans for both coastal creeks, and funding for a Build Out Reduction plan in place prior to this occurrence.

Our primary concern is for the local environment and Monterey Pine Forest—that land and sea ecosystems remain intact, healthy and able to support native plants and animals, as well as the people who depend upon them now and for the future. Water is a precious natural commodity in California and we are dedicated to the idea that watersheds have carrying capacities that should not be exceeded due to the risks of permanent damage to the entire viability of the ecosystem.

Thank you very much for your consideration of these comments,

Sincerely,



Mary Webb, President

cc. Regional Water Quality Control Board, CA Coastal Commission, Cambria CSD and other interested parties.

T H E G R E E N S P A C E B O A R D O F D I R E C T O R S

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