

**Rokke, Jon@Waterboards**

**From:** [REDACTED]

**Sent:** Tuesday, June 20, 2017 6:05 PM

**To:** Tryon, Thea@Waterboards

**Cc:** Rokke, Jon@Waterboards; Robertson, John@Waterboards

**Subject:** Unhappy Taxpayer

Dear Ms. Tryon,

I have been a taxpayer in San Luis Obispo County for 42 years. We have owned land and now own a wonderful home a block from the ocean in Cambria. We have been full time residents for 10 years. I do my best to keep track of local issues. I get to know the local elected officials. I try to examine the issues carefully. I know all of the members of the CCSD. I trust them all as dedicated individuals doing their best to do a difficult job without being paid. I know a few of them pretty well and know they are very smart and well educated people. I also know the General Manager and I believe he is highly qualified to do the work for this small district. I believe he is human and can make mistakes. To me the measure of a good manager is one who recognizes a mistake, corrects it and tries hard not to repeat it. This year we had an unexpected amount of rain that flooded the community and created unforeseen problems in and around our new water treatment plant. The episode also put pressures on the staff of the CCSD that was unexpected. In the aftermath we did not get understanding and help from the Regional Water Board. Instead we got beat up and punished with threats and the promise of penalties. The Regional Board was quick to pick up on our General Manager losing his temper with a local trouble maker who has been harassing the members of the CCSD for at least the 10 years I have lived here. He said what many of us in the community believe to be true. He was censured and publically apologized at a meeting. I have never in 42 years of watching this water process in Cambria seen our CCSD get picked on so much by the Regional Water Board. Doesn't anyone on that board realize that we are doing a good thing for the community by developing an environmentally friendly supplemental water system. Don't the members realize that this is a pristine pine forest community that needs a dependable water supply to be ready to fight fires. Instead of censuring and threatening, the Regional Board should be supporting and helping instead of giving the appearance of having an ear tuned to the nudniks of the community. Many of us in the community have the opinion that the Regional Water Board is our enemy not a supportive agency. Here is your mission statement:

To preserve, enhance, and restore the quality of California's water resources, and ensure their proper allocation and efficient use for the benefit of present and future generations. That is exactly what our CCSD is trying to do in Cambria. Please let us do it an if you can to be part of it than help us instead of hindering us. I know a few other Cambrians, Tom Gray and Michael Calderwood may have also written and addressed some concerns in a more technical tone. I applaud them and support their positions fully. My opinion is more from a gut level because I don't like to see my community threatened when helping would be a better remedy.

Sincerely,

Brian Griffin  
Cambria, CA

**Rokke, Jon@Waterboards**

**From:** Chris Landgreen

**Sent:** Tuesday, June 20, 2017 4:00 PM

**To:** Tryon, Thea@Waterboards; Rokke, Jon@Waterboards; Robertson, John@Waterboards

**Subject:** Cease and Desist Order No. R3-2017-0016

Mr Jon Rokke, Ms Thea Tryon, Mr John Robertson  
Central Coast Regional Water Quality Control Board  
895 Aerovista Place, Suite 101  
San Luis Obispo, CA 93401

Dear Mr Rokke, Ms Tryon, and Mr Robertson,  
I am writing about Cease and Desist Order No. R3-2017-0016.

In the opinion of my family and our Cambria neighbors, the regional Water Board's decommissioning plan for Cambria's evaporation pond is entirely too aggressive. If we understand correctly, our little community may be required to empty the evaporation pond "at the earliest possible date". It would cost us \$1.2million to make the 1600 trips necessary to truck all the pond water to a distant disposal site. We are hoping you meant "as soon as reasonably practicable"; to allow the pond to dry out naturally, per the CCSD's offered plan. Then, they'd remove any remaining concentrated brine by trucking it to an appropriate Class II disposal facility. This is so much more sensible.

The CCSD's evaporation plan would be fair and much more environmentally sound. Running 1,600 truckloads of water to a disposal facility in Oceano would cause an irresponsible amount of carbon dioxide to be emitted. We'd all lose!

Please reconsider.  
Yours Truly,  
Christine Landgreen

**From:** Christine Heinrichs  
**To:** [Rokke, Jon@Waterboards](mailto:Rokke_Jon@Waterboards)  
**Subject:** TENTATIVE CEASE AND DESIST ORDER NO. R3-2017-0016  
**Date:** Tuesday, June 20, 2017 4:01:51 PM

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Central Coast Water Board Offices  
895 Aerovista Place - Suite 101  
San Luis Obispo, CA 93401

[Jon.Rokke@waterboards.ca.gov](mailto:Jon.Rokke@waterboards.ca.gov)

19 June 2017

Re: CAMBRIA COMMUNITY SERVICES DISTRICT TENTATIVE CEASE AND DESIST ORDER NO. R3-2017-0016

To the Board:

Cambria Community Services District's Emergency Water Project continues to pose problems for the community and the region. Thank you for taking note and requiring better performance from the district.

The evaporation pond was built in an area subject to inundation, as shown by the flooding experienced in January 2016 and during the winter of 2017. The pond, which was supposed to be built to withstand a 100-Year Flood, did not perform as required during its second winter. It became out of compliance with the requirements, overly filled to above the required 12 inches of freeboard with contaminated water due to the rains.

Previous plans to allow water to evaporate so that the remainder salt concentrate could be removed have been shown not to be an effective solution. Trucking the waste to the South San Luis Obispo County Sanitation District will be expensive and subject to other environmental review.

The history of the project thus far does little to allay doubts. The district failed to maintain adequate oversight of the situation and did not report the problems to the RWQCB within 24 hours. The debacle of the evaporation pond and its blowers, the failure of the staff to provide timely reports, and the cost over-runs are evidence of its substantial problems.

The RWQCB's Notices of Violation and subsequent Cease and Desist Order are welcome oversight on the project. Thank you for doing your job of protecting water quality.

Christine Heinrichs

  
Cambria, CA 93428

**From:** Clive Mettrick  
**To:** [Rokke, Jon@Waterboards](mailto:Rokke_Jon@Waterboards)  
**Subject:** CAMBRIA COMMUNITY SERVICES DISTRICT TENTATIVE CEASE AND DESIST ORDER NO. R3 -2017- 0016  
**Date:** Tuesday, June 20, 2017 1:29:08 PM

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Jon Rokke  
Water Resources Control Engineer  
Central Coast Regional Water Quality Control Board  
895 Aerovista Place, Suite 101  
San Luis Obispo, CA 93401-7906

Dear Mr. Rokke,

My wife and I purchased a home in Cambria four years ago and spend our summers here. Although I could not attend the special June 13 CCSD meeting, I watched it online two days later. The negative comments by some of the speakers -- the usual small group of outspoken people whose views represent a small minority of Cambrians - - did not surprise me. However, I was very surprised to hear your comments, specifically, your insistence that the CCSD empty the brine pond as soon as possible.

Trucking the water is the only feasible means of emptying the pond quickly. The residents of Cambria do not have bottomless pockets. We ultimately pay any costs incurred by the CCSD for anything. Our community consists largely of retirees, many of whom are on fixed incomes. Trucking the water currently in the pond easily could cost Cambrians \$1,000,000 or more, which would cost Cambrians hundreds of dollars per household.

In addition to the increased financial burden the proposed trucking would place upon Cambrians, the trucks would cause unnecessary air and noise pollution.

I urge the Water Board to maintain flexibility in this matter. There usually are reasonable solutions to any problem. In this particular case, letting most of the water evaporate naturally makes the most sense. There is no risk to the environment in doing so, as the pond is not leaking. Indeed, its intended use was evaporation.

I will attend the July 13 Water Board meeting to hear the Water Board's latest position on our Sustainable Water Facility. I hope the Board will do its best to help our community have access to the SFW and keep the costs of unnecessary regulations to an absolute minimum. My wife and I want to see the SWF certified for permanent use so that in times of future drought, we do not have to carry pails of water outside to keep plants from dying, and we can let our grandchildren shower every day when they visit.

Cordially,

Clive Mettrick  


**From:** Cindy Steidel  
**To:** [thea.tyron@waterboards.ca.gov](mailto:thea.tyron@waterboards.ca.gov)  
**Cc:** [Rokke\\_Jon@Waterboards](mailto:Rokke_Jon@Waterboards); [Robertson\\_John@Waterboards](mailto:Robertson_John@Waterboards)  
**Date:** Tuesday, June 20, 2017 5:22:24 PM

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Ms.Thea Tyron  
cc: Mr. Jon Rokke  
cc: Mr. John Robertson

Central Coast Regional Water Quality Control Board  
895 Aerovista Place, Suite 101  
San Luis Obispo, Ca 93401

Re: Cambria Cease and Desist Order No. R3-2017-0016

Dear Ms. Tyron:

I am writing as an eighteen year resident and home owner in Cambria. During that time, I have been a ratepayer of the Cambria Community Services District. Although familiar with this community's water and growth issues for many years, it is only in the last few years that I chose stay well informed.

The steps the CCSD board took to address recent years impact of drought showed considered vision and decisive action to avoid a potentially catastrophic circumstance for our population. That implementation, like any emergency project, had shortfalls. At no time did these create a threat to those live here. Having read the communications of the Regional Quality Control Board to the CCSD, and their response, I acknowledge that report dates were missed. This was rectified. Additional personnel were assigned to ensure full and complete alignment to the requirements of RWQCB reporting. Reports I have read fully indicate that the idea of a pond lining leak is erroneous as monitor indication was from the bottom of the measurement field, a symptom of rising ground water from the heavy rain fall. The RWQCB attribution of a "probable" leak from the liner was irresponsible and misleading. It required unnecessary and costly resource diversion from the CCSD for what on the surface appears to be saber rattling by the RWQCB. Then the most recent punitive discourse, RWQCB direction regarding the pond Cease and Desist Order, which the CCSD did not challenge. There appears to have been significant communication between CCSD and the RWQCB regarding methodologies for brine removal, with CCSD's recommendation that evaporation be leveraged to fullest, with remaining brine disposal by trucking

Not being able to attend the special meeting of the CCSD board on June 14, 2017, I viewed the proceedings from online archive today. When Mr. Rokke and Ms. Tyron spoke, I was dumfounded. First, for Mr. Rokke to describe himself and Ms. Tyron as the "prosecution team" of the RWQCB was nothing short of a publicly delivered threat. Next was the warning that an aggressive timeline be delivered for elimination of the pond brine. Just the use of "aggressive timeline" is a subjective expectation that allows for any action of CCSD to be viewed as failure. What is really going on here. What has happened that has put the RWQCB

in such a punitive position against the CCSD? Surely it isn't due to lagging reports. Why does the RWQCB feel that the only thing it is doing is calling the CCSD on the carpet? Please recognize that the CCSD is Cambria. It is the population of our community. When you threaten fines, or make unnecessary demands, it is our community that bears the financial burden. The CCSD proposed reduction of brine through evaporation is an entirely reasonable response. The RWQCB has not identified a critical condition created by this less aggressive approach.

We are an aging community which is currently seeing a closure of businesses due to retirements with an avoidance of young families to take them on due to several circumstances. I would opinion that the current level of threats against our community to establish a viable water sustainability and back up for fire mitigation is certainly one of the factors. With the recent slides on Hwy 1 between Monterey and Raged Point we are face with the significant impact to our singular industry, tourism. The WQCB needs to understand its responsibility in challenging our community's ability to thrive because of their desire to act punitively to the CCSD, and therefore the residents of Cambria.

Sincerely,

Cindy Steidel

A solid black rectangular redaction box covering the signature area.

Elizabeth Bettenhausen, Ph.D.

[REDACTED]  
Cambria, CA 93428-2716  
[REDACTED]

20 June 2017

Board Members  
CCRWQCB  
Attn: Jon Rokke  
J.Rokke@Waterboards.ca.gov

Re: TENTATIVE CEASE AND DESIST ORDER NO.R3-2017-0016 ISSUED TO Cambria Community Services District San Luis Obispo County by the Assistant Executive Officer of the Regional Water Quality Control Board, Central Coast Region

As an interested person, I write a non-evidentiary policy statement.

Dear Members of the CCRWQCB:

On 18 April 2017, I wrote to Michael J. Thomas:

Please accept my gratitude and also convey it to the CCRWQCB staff. For some time I have been asking the State Water Resources Control Board and the CCRWQCB to oversee the work of the Cambria Community Services District (CCSD), especially regarding its Emergency Water Supply project.

Thank you for the Notices of Violation you sent to the CCSD on Feb. 9, 2017, and your April 13, 2017, Response to Technical Information the CCSD had submitted as their response to the NOV. Studying carefully what is taking place at the three year-old Emergency Water Supply project is integral to the Resolutions this region's water quality control Board passed in Nov. 2014 and CCSD's compliance.

One of the major challenges facing the Cambria Community Services District staff and directors has been matching their infatuation with computerized running of the Advanced Water Treatment project with careful, responsible monitoring and reporting of the project's daily activity by humans.

I also wrote,

The Central Coast Regional Water Quality Control Board staff has provided a high standard of public service to the people of Cambria and San Luis Obispo County in these difficult times.

In the United States attacks on the well-being on the ecological systems and environment intensify daily. Responsible, careful attention to government regulations can be a strong wall against that erosion of stewardship.

The AWTP impoundment pond continues to pose negative threats to the environment. I ask the CCRWQCB to make sure that the CCSD's plans "to submit a closure plan and timeline for closing the surface impoundment" adhere promptly and completely to RWQCB's requirements. Cease and desist does not mean delay and avoid.

The CCSD intends to "repurpose" the impoundment pond. I request that the RWQCB continue its oversight of CCSD to make certain this new use and the alternative storage and transport of RO concentrate (waste) obtain and abide by all necessary permits so as not to create new threats to the environment.

With gratitude to you for your continuing service to the public and planet, I am

Sincerely yours,

*Elizabeth Bettenhausen*

**From:** Gail Stevens  
**To:** [Rokke, Jon@Waterboards](mailto:Rokke_Jon@Waterboards)  
**Cc:** [Gail Stevens](#)  
**Subject:** In Support of the Cease and Desist Order against Cambria CSD  
**Date:** Tuesday, June 20, 2017 7:27:16 PM

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One reason I support the Cease and Desist Order against the Cambria CSD is that the surface impoundment is located in a sensitive habitat area with animals and birds — egrets, blue herons, migrating Canadian geese, water fowl in and around the pond. Another is possible contamination - to San Simeon Creek, the Lagoon, and to the Marine Sanctuary and Cambria State Marine Park.

Thank you for your consideration.

Gail Stevens  
Cambria resident





June 21, 2017

Central Coast Regional Water Quality Control Board 895 Aerovista Place, Suite 101  
San Luis Obispo, CA 93401  
Attn: Jon Rokke and Thea Tryon

Dear Mr. Rokke and Ms. Tryon:

I am writing today as Executive Director of Greenspace – The Cambria Land Trust to express the organization's support of cease and desist order R3-2017-0016. In 2014 the Cambria CSD proposed the Project in response to the CCSD Board of Directors' January 30, 2014 declaration of a Stage 3 Water Shortage Emergency in Cambria. The Project involved construction and operation of emergency water facilities at the CCSD's existing San Simeon well field and percolation pond system property. The Project consists of various extraction and monitoring wells; an Advanced Water Treatment Plant; an injection well to the groundwater basin at San Simeon well field; an evaporation pond (rehabilitate/modify an existing storage pond) and a discharge pipeline/structure to discharge micro filtrate water near San Simeon Creek.

The District failed to complete their application to San Luis Obispo County for the regular CDP in July of 2014. The County has allowed the CSD multiple time extensions on completion of the original application, which emboldened the district to revise and redesign the emergency project for three years without appropriate hearings and review of regulatory agencies other than the Water Board.

Instead of completing their application for the 'emergency' project, the district changed the purpose of the project to a new, more elaborate project for growth in 2016. Our organization did not support the certification of the Final Subsequent Environmental Impact Report for the Cambria Sustainable Water Facility Project on June 15, 2017. The Cambria CSD postponed action indefinitely after the district's lawyer said information on the project's revised Adaptive Management Plan had only been posted online the day before. Therefore this project has still not received the level of review needed to mitigate the impacts of its operation thru the normal channels.

Coastal staff letter of June 2017 summarizes major hurdles in the latest FEIR, including the following statements:

*"The document does not adequately evaluate known or likely impacts to riparian, wetland, and stream areas designated under the LCP as sensitive habitat, and does not identify adequate mitigation measures to address those adverse impacts.*

*The volume and location of proposed mitigation flows would not avoid or minimize likely or identified habitat and species impacts*

Constance Higdon Gannon

Executive Director



PO Box 1505  
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*There does not appear to be sufficient water available to the CCSD to operate the project as proposed.*

*The project does not appear to be consistent with the LCP's flood hazard avoidance policies*

*The project as evaluated in the EIR would not allow for the levels of growth anticipated in the document.*

*The FEIR's described repurposed of the projects evaporation basin will create a wildlife hazard, but the document does not evaluate those hazards.*

*The FEIR description is also inconsistent with the CCSD's current proposal to address problems with the basin."*

The emergency project itself has caused unmitigated damages to the environment. Unauthorized changes in the project design's creek mitigation flow resulted in a chlorine spill into Van Gordon Creek/San Simeon Creek which is rated as a CORE 1 Steelhead habitat recovery site. CSD operators allowed unpermitted discharges from the waste pond into Van Gordon Creek in early 2015. Numerous violations and enhanced compliance actions have been levied by the water board enforcement staff since the project began operation in 2015. Water board staff have spent far too many hours assisting the CSD with compliance on this project since 2014.

Change Orders required the installation of mechanical blowers to evaporate waste from the reservoir. When blowers were operating it created glare and a dome of reflected water vapor high above the reservoir that could be seen from Highway One north and south of San Simeon Creek Road. It was so odd that alarmed tourists pulled off the highway to see if there was a fire on San Simeon Creek Road.

The evaporator noise levels were described by a neighboring rancher as "*the sound of a multi engine turbo prop at the end of the runway revving for take-off.*" Within days of the start-up of the mechanical evaporators in 2015 a horse on San Simeon Creek Road was startled, bolted and injured itself resulting in it having to be euthanized. Many area residents complained of noise and odor issues at local advisory council meetings in 2015.

Public health and safety concerns, expressed by a neighboring rancher, confirmed that brine was not being contained within the reservoir: "*Of greater concern to me is wind drift carrying the mist created by the blowers. We grow vegetable crops for human consumption bordering, and immediately east of CCSD property. Our nearest crop land is less than a mile from the blowers. It is currently planted to sugar snaps. With the blowers pointed in our direction, and the prevailing wind blowing from west to east up the valley, I feel that it is inevitable that brine pond residue will begin to appear on our field crops.*" Photos and videos document this brine drift spraying above and out of the reservoir into the riparian areas.

Coastal Commission concluded in 2015 that "*the project's evaporation basin and mechanical evaporators appear to be causing several types of significant adverse impacts. Birds and other wildlife drawn to the "attractive nuisance" resulting from standing water in the basin may be exposed to toxic or hazardous levels of contaminants.*" Their concerns were confirmed when dead and dying migratory birds were removed from the hazardous brine waste pond after wildlife agencies were notified by residents. Multiple agencies have written comment letters since 2014 describing these impacts, with no response from the district no certified final environmental impact report forthcoming.

Deer fencing, gopher barriers, and red legged frog fences were constructed and expensed at the last minute as CA Fish and Wildlife was alerted to the projects hasty construction without CEQA oversight

to protect the wildlife. Those measures failed as deer were photographed inside the enclosures, and fences had to be repaired. As expected gopher holes started appearing along the brine pit liners, which caused a gopher gassing program to be instituted along the same fence line designed to keep red legged frogs out.

Rain events in both 2016 and 2017 caused flooding of the San Simeon Creek well field resulting in emergency permits needed to clear the Creek of heavy debris and secure the RO injection pipeline. In addition storm water flooding from San Simeon Creek road enter the Brine Reservoir itself causing the free board limits to be out of compliance, and eventually overflow.

Key water and wastewater employees and operators have left the district since the project was constructed in 2014 resulting in confusion and monitoring mistakes. Cambria CSD has been forced to retrain and replace former staff with high level operators and temporary contractors from CDM Smith and Fluid Resources Management. The number of violations recorded by water board staff attests to the inability for the district to comply with the stringent requirements needed to operate and adequately monitor a project of this complexity.

The District now admits the design and operation of the evaporation waste pond and mechanical evaporators has failed by not contesting this cease and desist order. Greenspace maintains that the CSD should be required to submit a completed application for the original 'emergency project' only so that all impacts can be addressed by all regulatory agencies. Using this project for 'emergency use' in a Stage 3 Drought declaration, and for 'existing customers only' would produce the least amount of brine waste and harm to the environment. In addition the brine waste in the reservoir should be discharged as soon as possible into Baker Tanks for future offsite disposal. Baker tanks should be used for future brine disposal if/when the machine is in operation under drought conditions after proper permitting and conditions. The mechanical evaporators should be removed as soon as possible and the evaporation reservoir area returned to pre-project conditions.

Thank you for your attention to these comments. We support your staff and are deeply grateful for their oversight of this project.

Sincerely,

A handwritten signature in cursive script that reads "Connie Gannon". The signature is written in black ink and is positioned above the printed name.

Constance Higdon Gannon

**From:** Igor Fedoroff  
**To:** [Rokke, Jon@Waterboards.ca.gov](mailto:Rokke, Jon@Waterboards.ca.gov); [robertson@waterboards.ca.gov](mailto:robertson@waterboards.ca.gov)  
**Subject:** Fwd: Tentative Cease and Desist Order No. R3-2017-0016  
**Date:** Tuesday, June 20, 2017 1:13:03 PM

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I am forwarding this to you since I received an ou-of-office auto reply from the original recipient. Regards, Igor Fedoroff

Sent from my iPad

Begin forwarded message:

**From:** Igor Fedoroff <[REDACTED]>  
**Date:** June 20, 2017 at 12:33:16 PM PDT  
**To:** [thea.tryon@waterboards.ca.gov](mailto:thea.tryon@waterboards.ca.gov)  
**Subject:** Tentative Cease and Desist Order No. R3-2017-0016

As a retiree rate payer in Cambria under the jurisdiction of the Cambria Community Services District, my wife and I are on a fixed income and would appreciate your forbearance on the demand to have the CCSD hire a trucking company to empty the current brine pond as soon as possible which I understand would require approximately 1,600 truck trips costing ratepayers about \$740 per trip or nearly \$1.2 million. I also understand that an environmentally sound alternative would be to wait several seasons for natural evaporation to take place and then truck the remaining brine to a waste facility at a substantially smaller cost to our community.

Please allow for the much lower-cost, environmentally sound alternative of waiting several years to allow natural evaporation to take place. Since I also understand there are no volatile compounds in the brine pond, no damage to the environment would take place.

Respectfully submitted,

Igor V. Fedoroff  
[REDACTED]

Sent from my iPad

**From:** Lori Slater  
**To:** [Rokke, Jon@Waterboards](mailto:Rokke,Jon@Waterboards)  
**Subject:** "Sustainable Water Facility" in Cambria  
**Date:** Wednesday, June 21, 2017 10:58:49 AM

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Dear Mr. Rokke,

As a 25 year Cambria resident I support the CDO issued by the Regional Water Board to the Cambria CSD.

Cambria residents were never allowed to vote for the "Emergency Water Facility". The CSD has blindly followed the General Manager in all his decisions regarding this spurious facility. The General Manager and General Engineer have proven to be negligent and incompetent in regard to the management of our general water infrastructure. They are obviously over their head in regard to the operation of the "Emergency Water Facility" which they now brand as "Sustainable Water Facility".

The "Sustainable Water Facility" must comply with the Regional Water Board standards. Cambria must rely on The Regional Water Board's oversight and greater wisdom.

Thank you,

Lori Slater  
[REDACTED]  
Cambria, CA. 93428  
[REDACTED]

**MARK ROCHEFORT**

**CAMBRIA, CA 93428**

June 20, 2017

John Rokke  
Permitting Staff  
Central Coast Water Board  
[John.rokke@waterboards.ca.gov](mailto:John.rokke@waterboards.ca.gov).

Re: Proposed Cease and Desist Order No. R3-2017-0016

Dear Mr. Rokke,

My wife and I have owned a home in Cambria for thirty years and have been full time residents of the community since May 2012. Therefore, we are interested persons with respect to the above-entitled proceedings and as ratepayers of the Cambria Community Services District, we will be directly impacted by the decision in this matter and ultimately the final determination of the manner, means and timetable by which the CCSD is permitted to remove brine waste from the evaporation pond associated with the Sustainable Water Facility.

For the reasons discussed below, we strongly urge the Regional Water Quality Control Board to approve the CCSD's proposed plan to allow the greater part of the pond's liquid contents to evaporate through natural processes over time. The alternative course you and Ms. Tryon outlined at the CCSD special meeting on June 14 — that the District remove the brine as quickly as possible and truck it to a distant waste disposal facility — can only be characterized as unnecessary overkill that will cost CCSD ratepayers hundreds of thousands, if not millions, of dollars for no apparent benefit to the environment, our agricultural neighbors who share the San Simeon aquifer or the town.

By way of background and as the RWQCB already knows, Cambria relies on two local creeks as its only natural potable water sources. For more than thirty years our town endured chronic water shortages that required residents periodically to adopt severe water conservation measures which were not only inconvenient but unhealthy. Then, as the recent statewide exceptional drought took its course, Cambria's very existence was threatened. The CCSD, with the overwhelming support of the community, responded by taking action to design and construct the reverse osmosis Emergency Water Supply project which resolved our long-term water problem and preserved our community in the face of crisis. The RWQCB worked closely with the CCSD and was an integral part of the success of the project, for which our community is very grateful.

I raise the foregoing background for three reasons. First, these important contextual facts reinforce how important the Emergency Water Supply project, now the Sustainable Water Facility, is to the residents and businesses of Cambria. Second, although the Staff and the Board have received persistent and strident criticism of the project from a small vocal minority of Cambria residents, it is clear that the much larger majority of Cambrians support this project. Third, in reviewing the Tentative Cease and Desist Order (TC&D Order), it appears that Staff relies in substantial part on a perceived design flaw with respect to the vadose zone monitoring system (VZMS) beneath the evaporation pond. Without conceding that the project design is defective, it is important to note the RWQCB approved the project's design, including the VZMS. Therefore, it is simply unfair for the Board to impose an expensive and unnecessary brine removal procedure that essentially punishes the District for a design that the RWQCB previously approved.

Contrary to the conclusion set forth in the TC&D Order, the project's design is not flawed. The Order states that the design is defective because the pond was not sited and designed to ensure that wastes will be a minimum of five (5) feet from groundwater. Specifically, Section 7 of the TC&D Order recites the requirement set forth in California Code of Regulations, Title 27 as follows:

Title 27 section 20240(c) states, in relevant part:

“All new . . . surface impoundments shall be sited, designed, constructed, and operated to ensure that wastes will be a minimum of five feet (5ft) above the highest *anticipated* elevation of underlying groundwater . . .” (Initial ellipsis and emphasis added.)

The highlighted term “*anticipated* elevation of the underlying groundwater” is critically important because during the relevant monitoring period, from January 24, 2017 and February 21, 2017, the rainfall in Cambria exceeded 15 inches which was wholly unanticipated. Therefore, water intrusion into the VZMS from unanticipated rising groundwater does not constitute a design defect under Title 27. Nor does Section 8 of the TC&D Order (citing Title 27, Article 4, Table 4.1) support finding a design defect. The regulation referred to in Section 8 requires an impoundment to be capable of containing a 1,000-year, 24-hour precipitation event. By its own terms the regulation applies to the containment capability of the impoundment and does not apply to unanticipated rising groundwater levels. There is no evidence that the subject evaporation pond failed to contain the extraordinary precipitation during last winter's recurring severe storms.

Although the TC&D Order states that water intrusion recorded in the VZMS resulted either from a leak in the evaporation pond liner above or from rising groundwater levels below, there is no evidence that the liner ever leaked, let alone that it

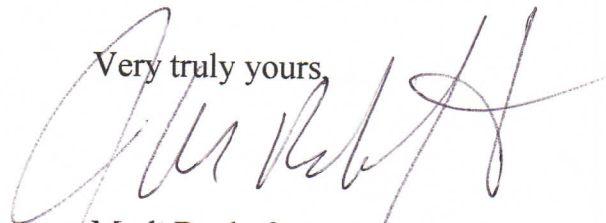
currently leaks. To the contrary, the compelling evidence is that water intrusion in the vadose zone came from below and from rising groundwater. First, as discussed above, the water intrusion occurred during a period of heavy rainfall and concomitant rise in groundwater levels, which has not occurred for many years. Second, the data relied on in the TC&D Order belies the conclusion that the recorded water intrusion resulted from a liner leak and supports the conclusion that such intrusion occurred from fluctuating groundwater levels. It is noteworthy that the liner integrity test on January 31, 2017 (one week after discovery of the initial intrusion) recorded zero gallons removed. If the water intrusion had occurred from a liner leak, there would be no intervening episodes where no intrusion was recorded, nor would one expect to see substantial fluctuations in the water removed from the vadose zone as recorded in other tests. Third, I understand that subsequent inspections and tests conducted by the CCSD further confirm that water intrusion into the vadose zone came from fluctuations in groundwater levels and not liner leaks.

Since there is no persuasive evidence that the brine pond is leaking, the pond presents no imminent threat to the groundwater and no reasonable basis to direct the CCSD to drain the pond as soon as possible by trucking brine, at great cost, to a distant waste disposal facility. Conversely, the CCSD's plan to allow the pond naturally to evaporate and then truck the concentrated brine waste to an appropriate facility poses no threat to the environment and is a considerably more cost-effective solution.

Cambrians understand that protecting the environment and its precious aquifers is important and comes with an expense; we just object to unnecessary expense for no environmental purpose. We supported the project design that benefits lagoon habitats by returning clean water to the San Simeon Creek lagoon. Further, responding to operational issues – some raised by the RWQCB – the CCSD, with community support, will employ a full-time professional dedicated to the Sustainable Water Facility and assuring compliance with all permits and laws.

The CCSD's plan to remove brine waste primarily through natural evaporation is reasonable, cost effective and consistent with the Board's environmental and water quality concerns. Thank you.

Very truly yours,



Mark Rochefort

cc John M. Robertson, Executive Officer, RWQCB, Central Coast



**From:** Mary  
**To:** [Tryon.Thea@Waterboards](mailto:Tryon.Thea@Waterboards); [Rokke.Jon@Waterboards](mailto:Rokke.Jon@Waterboards)  
**Subject:** Administrative Civil Liability Complaint No. R3-2017-0015 in the Matter of Cambria Community Services District, San Luis Obispo County (Complaint),  
**Date:** Wednesday, June 21, 2017 12:20:26 PM  
**Attachments:** [page\\_001.pdf](#)

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**Cambria Community Services District (District) Emergency Water Supply Project – [PENALTY RESOLVED. WATER BOARD ITEM DATE CHANGE TO JULY 13, 2017]** On April 18, 2017, the Central Coast Water Board Assistant Executive Officer issued [Administrative Civil Liability Complaint No. R3-2017-0015 in the Matter of Cambria Community Services District, San Luis Obispo County \(Complaint\)](#), hereby posted for public comment on May 1, 2017. The Complaint alleges that the District submitted numerous late self-monitoring reports in violation of Waste Discharge Requirements Order No. R3-2014-0050, and proposes to assess \$53,596 in administrative civil liability against the District.

Central Coast Water Board, Attn:  
Thea Tryon, 895 Aerovista Place, Suite 101, San Luis Obispo, CA 93401, or may email comments to [thea.tryon@waterboards.ca.gov](mailto:thea.tryon@waterboards.ca.gov).

Please accept the attached 187 comments and signatures in support of the Water Board's Cease and Desist Action to be presented July 13 in Watsonville.  
Thank you for your oversight,  
Mary Webb

Cambria Community Services District:  
CEASE and DESIST!

The Regional Water Quality Control Board has issued more Notices of Violation to the Cambria Community Services District due to failures stemming from their rushed water project. In 2014 the Cambria Community Services District deceived ratepayers and claimed an emergency brackish water project would be temporary and portable, for existing customers only, costing between \$100,000 to \$4 million and would deliver water by July 1, 2014. The project construction was to be completed by November of 2014 and to run only during a Stage 3 water shortage declared by CCSD.

None of these claims proved to be true.

The district FAILED

- to analyze less expensive alternatives to this project
- to provide water by July of 2014
- to design/construct an affordable, temporary project to abate an emergency
- to complete construction of the project
- to analyze disposal of brine waste
- to complete the application for a Coastal Development Permit for the emergency project
- to complete an environmental impact report for three years
- to respond to three years of comments submitted by regulatory agencies and citizens
- to hold project contractor responsible for obvious hydrogeologic and design flaws
- to comply with Water Board discharge regulations and monitoring requirements
- to comply with County ordinances
- to adequately respond to neighbor complaints regarding noise and brine overspray
- to offset the \$9 million loan by applying a \$4 million grant as promised
- to provide competent operators to run the emergency project

Failing so much, the Cambria Community Services District must be held accountable.

In March of 2016 the CSD changed the purpose and intent of this emergency project (renamed it the Sustainable Water Project) to support new water meter connections in Cambria without voter approval. The CSD submitted an

application for this growth inducing project in 2017, which describes new water treatment construction options and brine disposal methods without analyzing the costs and impacts of these modifications. The project has not been subjected to the level of review required for a long term public works project that guarantees growth.

Ratepayers did not vote for a public works project for growth.

The project has already committed us to years of ratepayer debt while our infrastructure fails. Total cost of the “emergency” project and the “sustainable” project is unknown because the district continues to make decisions behind closed doors to revise and correct the current “emergency” water project and to amend contracts to expand their scope.

We, the ratepayers of Cambria and others, oppose this deception and abuse of power.

No new project for growth should be approved until long overdue habitat protection programs are fully funded and implemented by qualified and independent agents including:

- Instream flow studies for both San Simeon and Santa Rosa Creeks
- Water Quality Monitoring programs to protect iconic species
- Build Out Reduction program to mitigate growth
- Cambria Forest Management Plan and Forest Ecologist hired to protect Monterey Pines
- Habitat Conservation Plans to protect our local creeks for the future

San Simeon and Santa Rosa Creeks and wildlife must be protected.

PDF contains signatures #1-171 and #172-187 are listed below. Names are still being gathered.

### **CURRENT PETITION SIGNERS**

187. **Elizabeth Appel** from Cambria, CA signed this petition on Jun 17, 2017.

186. **marcella eversole** from Cambria, CA signed this petition on Jun 16, 2017.

185. **Chris Spradley** from Cambria, CA signed this petition on Jun 15, 2017.

184. **Zdravko Barov** from Cambria, CA signed this petition on Jun 14, 2017.

183. **john menke** from cambria, CA signed this petition on Jun 14, 2017.

As a retired teacher/professor of ecology and evolutionary biology, I can state, with a mass of supporting data, that adding more demand for water in our community (e. g. adding more homes to our community) will add increased stress to our riparian communities during future periods of drought.

182. **Barbara Kuperman** from Cambria, CA signed this petition on Jun 14, 2017.

181. **clive and sharon finchamp** from caMBRIA, CA signed this petition on Jun 14, 2017.

180. **Richard E.T. Sadowski** from Morro bay, CA signed this petition on Jun 14, 2017.

179. **Brad Snook** from Arroyo Grande, CA signed this petition on Jun 14, 2017.

178. **Barbara wilson** from cambria, CA signed this petition on Jun 14, 2017.
177. **Constance Faber** from Cambria, CA signed this petition on Jun 14, 2017.
176. **Judith Larmore** from Cambria, CA signed this petition on Jun 14, 2017.
175. **Marvin Josephson** from Huntington Beach, CA signed this petition on Jun 13, 2017.

The project that was approved by the voters was for emergency use.

174. **rita burton** from Cambria, CA signed this petition on Jun 13, 2017.
173. **Penny Church** from Cambria, CA signed this petition on Jun 13, 2017.
172. **Tony Church** from Cambria, CA signed this petition on Jun 13, 2017.

Dear Amanda Rice, President Cambria Community Services District, Cambria Community Services District, Board of Directors and General Manager, Bruce Gibson, County Board of Supervisors District 2, Airlin Singewald, County Sr. Planner, and Ted Siegler, Chair North Coast Advisory Council,

We are pleased to present you with this petition affirming this statement:

**"Ratepayers support the Regional Water Quality Control Board's cease and desist action and support their efforts to stop the Cambria CSD's rushed water project from causing serious harm to our local creeks and the wildlife that relies on this special habitat. We request that the Cambria CSD mitigate the full impacts of operating this project in a valid "emergency" situation, for existing customers only, which has never been done. If the Cambria District adds new water connections to our overstressed aquifers and the project actually had to provide water in the dry season, it would most likely dewater and pollute San Simeon Creek and place severe stress on Santa Rosa Creek.**

**San Simeon and Santa Rosa Creeks and wildlife must be protected."**

Attached is a list of individuals who have added their names to this petition, as well as additional comments written by the petition signers themselves.

Sincerely,  
Mary Webb

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Steve and Pam Kurnik  
Cambria, CA 93428  
May 11, 2017

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The EIR is incomplete--THAT should tell you something!

Theo Moreno  
Cambria, CA 93428  
Apr 29, 2017

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Sally Marshall-Ensworth  
Cambria, CA 93428  
Apr 29, 2017

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Michael Kenny  
Cambria, CA 93428  
Apr 28, 2017

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Pat Riley  
Cambria, CA 93428  
Apr 28, 2017

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Donn  
Cambria, CA 93428  
Apr 26, 2017

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Barton Shaler  
Cambria, CA 93428  
Apr 25, 2017

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Susan Shaler  
Cambria, CA 93428  
Apr 25, 2017

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Let's tell the TRUTH about the failed water project and our irresponsible and incompetent CCSD board. And let's return to a town government that listens to its citizens and acts in the best interests of all: residents, visitors, wildlife, natural resources and the environment. Let's unite to preserve the unique place we can all enjoy and appreciate now and in the future.

Patricia Dorin  
Cambria, CA 93428  
Apr 23, 2017

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Sharon Harvey  
Cambria, CA 93428  
Apr 21, 2017

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Richard Hawley  
Cambria, CA 93428  
Apr 21, 2017

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Carol Painter PhD  
Ithaca, NY 14850  
Apr 21, 2017

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rollie younger  
cambria, CA 93428  
Apr 21, 2017

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Brian Robinson  
Cambria, CA 94328  
Apr 20, 2017

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I seriously question the motives of a Board that ignored all the regulatory agencies and experienced service providers who opposed this project and informed them that it would not only seriously degrade the environment, but also not work. Not only can we not afford this mess financially, we have been placed in grave violation of environmental regulations and are now so overextended as to lack funds to perform desperately needed improvements to the existing infrastructure of water delivery and sewage treatment. I feel that what has been perpetrated upon the citizens of Cambria, possibly simply to set precedence (as to placement), is nothing short of criminal.

Francesca Bolognini  
Cambria, CA 93428  
Apr 20, 2017

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Linda L. Winans  
Cambria, CA 93428  
Apr 20, 2017

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substandard subdivision with no incorporation possible thus no architectural review should not overbuild

Harold Lee Bailey  
CAMBRIA, CA 93428  
Apr 20, 2017

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Roberta Teubner  
Atascadero, CA 93422  
Apr 20, 2017

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Cheryl Broadhead  
Cambria, CA 93428  
Apr 20, 2017

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Barbara Beuche  
Cambria, CA 93428

Apr 19, 2017

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What is it about contractual obligations that the CCSD does not understand? You sign for a grant and you follow up on the commitments. No capricious changes to time lines, costs, reporting, intended use, or effects on the environment. I am appalled by the path of this project.

Terry Philbin  
Cambria, CA 93428  
Apr 19, 2017

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All this got so far and screwed up because the public was eliminated from true input to our water directors. They didn't wish to hear us.

Lauren Younger  
Cambria, CA 93428  
Apr 19, 2017

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Kristin Philbin  
Cambria, CA 93428  
Apr 19, 2017

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Jan Harris  
Cambria, CA 93428  
Apr 19, 2017

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Richard Todd  
Pensacola, FL 32503  
Apr 19, 2017

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seychelle cannes  
newport beach, CA 92660  
Apr 19, 2017

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Lois Garney  
Cambria, CA 93428  
Apr 19, 2017

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Greg Sesser  
Cambria, CA 93428  
Apr 19, 2017

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FRANK DEPASQUALE  
Cambria, CA 93428  
Apr 19, 2017

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hank Castignetti  
Huntington Beach, CA 92646  
Apr 19, 2017

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I support your petition, "CEASE and DESIST" from the other part of the world, South Korea!

Yong Ja Kim  
South Korea  
Apr 19, 2017

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Peter Brede  
Cambria, CA 93428  
Apr 19, 2017

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Patrice Rowe  
Cambria, CA 93428  
Apr 19, 2017

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Glenn  
Cambria, CA 93428  
Apr 19, 2017

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Keith Laster  
Cambria, CA 93428  
Apr 19, 2017

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Duffy Burns  
Cambria, CA 93428  
Apr 19, 2017

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Rob Koch  
Cambria, CA 93428  
Apr 18, 2017

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Rita Benavides  
Cambria, CA 93428  
Apr 18, 2017

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Gail ortenburger  
Cambria, CA 93438  
Apr 18, 2017

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Does this mean that, after obtaining the proper permits and the blessing from the Water Board, and without residents approval to convert the emergency plant into a full time operation, Cambria's debt for the water plant and all future incidental costs will be transferred to new connections?

Roberto Olmos-Arreola  
Cambria, CA 93428  
Apr 18, 2017

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Jennifer Holmberg  
Cambria, CA 93428



Apr 18, 2017

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Please don't let this go thru. Already CCSD in non compliance for their emergency project and now they want to start over. How about all the environmental problems with the old project??

DEBBY MIX  
Cambria, CA 93428  
Apr 18, 2017

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ted armen  
Cambria, CA 93428  
Apr 18, 2017

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Cindy  
Cambria, CA 93428  
Apr 18, 2017

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Gerard Walbaum  
Bakersfield, CA 93306  
Apr 18, 2017

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Patricia Schimberg  
Cambria, CA 93428  
Apr 18, 2017

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Julie Blow  
CAMBRIA, CA 93428  
Apr 18, 2017

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Don Canestro  
Cambria, CA 93428  
Apr 18, 2017

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Christine Quinn  
Cambria, CA 93428  
Apr 18, 2017

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Kathryn Keller  
Cambria, CA 93428  
Apr 18, 2017

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Michael romansky  
Cambria, CA 93428  
Apr 18, 2017

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Jeanne romansky  
Cambria, CA 93428  
Apr 18, 2017

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Janet Walbaum  
Cambria, CA 93428-4539  
Apr 18, 2017

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Tracy Player  
Cambria, CA 93428  
Apr 18, 2017

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Doug Hay  
Cambria, CA 93428  
Apr 17, 2017

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Kathy Palmer  
Cambria, CA 93428  
Apr 17, 2017

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Dan OConnor  
Arroyo Grande, CA 93420  
Apr 17, 2017

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"Real change begins from the bottom up."

Christina Tobin  
Cambria, CA 93428  
Apr 17, 2017

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Knock this off! Stressing residents and now stressing the wildlife that we live in harmony with...shame on you! Find a solution that works for all.

Sarah Mosby  
Cambria, CA 93428  
Apr 17, 2017

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Mark Merrifield  
Cambria, CA 93428  
Apr 17, 2017

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nancy merrifield  
Cambria, CA 93428  
Apr 17, 2017

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CCSD has allowed General Manager Gruber to seriously endanger Cambria's environmental health and economic stability. No matter how they brand it, they have grossly indebted Cambrians to a spurious public work project without public or regulatory consent.

Lori Slater  
Cambria, CA 93428  
Apr 17, 2017

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Lucia Capacchione  
Cambria, CA 93428  
Apr 17, 2017

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Jennifer Jozwiak  
Nipomo, CA 93444  
Apr 17, 2017

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You need to tell a straight story.

Marjorie R. Sewell  
Cambria, CA., CA 93428  
Apr 17, 2017

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Jason Anderson  
cambria, CA 93428  
Apr 17, 2017

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Gwynne Beatty  
Cambria, CA 93428  
Apr 17, 2017

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Susan Kwasny  
Cambria, CA 93428  
Apr 17, 2017

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People who visit Cambria want to see the wildlife and the beauty, not traffic lights, congestion and sprawl.  
Protect the wildlife and preserve Cambria as a rural area.

Lucille Webb  
Cambria, CA 93428  
Apr 17, 2017

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Terri Belfod  
Cambria, CA 93428  
Apr 17, 2017

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Vari MacNeil  
Cambria, CA 93428  
Apr 17, 2017

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Susan Silva-Treadwell  
Avila Beach, CA 93424  
Apr 17, 2017

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The swf now appears to be a poorly conceived idea. The cost of the facility without grant money, the maintenance cost and the cost of removing the brine. This is just too much money for a community the size of Cambria. It needs to revert to an emergency water facility.

David  
Cambria, CA 93428  
Apr 17, 2017

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Ronnie Kilroy  
Cold Spring, NY 10516  
Apr 17, 2017

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Dan Golowka  
Cambria, CA 93428  
Apr 17, 2017

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Merle Wurth  
Evergreen, CO 80437  
Apr 16, 2017

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Please listen to the people !

Robert Henderson  
Cambria, CA 93428  
Apr 16, 2017

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Jackie Hogan  
Cambria, CA 93428  
Apr 16, 2017

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Carolyn Golowka  
Cambria, CA 93428-1918  
Apr 16, 2017

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Karen Pearson  
Cambria, CA 93428  
Apr 16, 2017

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June Goudey  
Vallejo, CA 94589  
Apr 16, 2017

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Kevin O'Gorman  
Arroyo Grande, CA 93420  
Apr 16, 2017

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The bait and switch methods of the CCSD and their supporting directors, moving from an emergency, temporary, mobile unit to a permanent, expensive, and dysfunctional plant, is an insult to all Cambrian residents. CCSD management and those directors need to be held accountable by the citizens of Cambria, as well as the State of California.

bob fountain  
Cambria, CA 93428  
Apr 16, 2017

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mary  
Cambria, CA 93428  
Apr 16, 2017

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Tim Maxwell  
Atascadero, CA 93422  
Apr 16, 2017

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Keith Gordon  
Arroyo Grande, CA 93420  
Apr 16, 2017

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William Robinson  
Cambria, CA 93428  
Apr 16, 2017

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Marcy Mallette  
Cambria, CA 93428  
Apr 16, 2017

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Owner 1830 Berwick Cambria Ca

Gary McDaniels  
Bakersfield, CA 93314  
Apr 16, 2017

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Leslie Mark  
Cambria, CA 93428  
Apr 16, 2017

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I have visited Cambria and have family who live there. Please stop the CSD from doing further harm.

Connie Blair  
Seattle, WA 98115  
Apr 16, 2017

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Monie Hopkins  
Cambria, CA 93428  
Apr 16, 2017

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We must review and take action as a community to find proper and cost effective solutions.

Diana GormanTeetzel  
Cambria, CA 93428  
Apr 16, 2017

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The CCSD's lack of transparency and incompetence is deeply troubling. I have been concerned from the beginning that this so-called 'emergency water project', now the 'sustainable water project' was railroaded through. The project has been misrepresented and disastrously executed. It seems that no one is really competent or in-charge---including the General Manager. The community has been put in jeopardy by the handling of this project. The CCSD must be held accountable. It may very well need a Grand Jury investigation.

Donald Archer  
Cambria, CA 93428  
Apr 16, 2017

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Linda Mayer  
Cambria, CA 93428  
Apr 15, 2017

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Sandra Valois  
Cambria, CA 93428  
Apr 15, 2017

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I am not a ratepayer but I am a citizen of California and at stake are resources that support life in California and the nation in which I have an interest.

Cynthia Hawley  
Morro Bay, CA 93443  
Apr 15, 2017

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Megan Dedic  
Los Osos, CA 93402  
Apr 15, 2017

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Steve Brant  
Cambria, CA 93428  
Apr 15, 2017

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I enjoy visiting Cambria as a refreshing getaway and its pristine environment is by far the most attractive feature.

Jeff Wood  
Orange, CA 92866  
Apr 15, 2017

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Diana Novak

Cambria, CA 93428  
Apr 15, 2017

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It's about time!

CHERYL ALVAREZ  
Cambria, CA 93428  
Apr 15, 2017

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michael griffin  
Cambria, CA 93428  
Apr 15, 2017

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Gordon Heinrichs  
Cambria, CA 93428  
Apr 15, 2017

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catherine lekich  
cambria, CA 93428  
Apr 15, 2017

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Stanley Stanert  
cambria, CA 93428  
Apr 15, 2017

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The problems described in this petition have been created by the CCSO Board of Directors acting as a surrogate for the Cambria Chamber of Commerce with the obvious goal of promoting growth in spite of a lack of resources needed to support that growth.

Wayne & Tarika Ryburn  
Cambria, CA 93428  
Apr 15, 2017

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julia stanert  
cambria, CA 93428  
Apr 15, 2017

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Tori Thompson  
Cambria, CA 93428  
Apr 15, 2017

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Raven Venturelli  
Cambria, CA 93428  
Apr 15, 2017

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Gail Stevens  
Cambria, CA 93428  
Apr 15, 2017

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Margaret Renz  
Cambria, CA 93428  
Apr 15, 2017

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Sandra L. Hills  
Cambria, CA 93428  
Apr 15, 2017

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Jan Moon  
Cambria, CA 93428-4722  
Apr 15, 2017

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Complete mismanagement has bled Cambria ratepayers, mortgaged our future and jeopardized our habitat.

SANDI BROCKWAY  
CAMBRIA, CA 93428  
Apr 15, 2017

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Jacqueline Griffin  
Cambria, CA 93428  
Apr 15, 2017

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I've always been told to "follow the money" When something doesn't make good sense. This project has never made sense for the actual residents of Cambria. We all need to "follow the money" and find out who is the beneficiary of this failed project.

Victoria Krassensky  
Cambria, CA 93428  
Apr 15, 2017

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Ian McLauchlan  
Cambria, CA 93428  
Apr 15, 2017

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The mismanagement is staggering. And we are footing the bill. Is obeying the law an obligation for everyone or not?

Catherine Hyde  
Cambria, CA 93428  
Apr 15, 2017

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Please do the right thing.

Claudia Worthen  
Cambria, CA 93428  
Apr 15, 2017



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I own a home in Cambria, and am very concerned about the actions taken to date by the CSD regarding the drought and the "emergency water project" -- later renamed as the sustainable water project. It is apparent that CONSERVATION by the residents was key in surviving this drought -- as there was no other water source implemented immediately by the CSD. This is important in that it says that Cambria with its current population HAS the ability to survive. If many years ago the CSD had built a reservoir, it would now be full and would provide a backup to supplement the current system of wells.

Marvin Josephson  
Huntington Beach, CA 92646  
Apr 15, 2017

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Patty Fox  
Cambria, CA 93428  
Apr 15, 2017

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"... It contains no cost/benefit analysis, no analysis of traffic, noise, light, air quality impacts, no measurements of how this will affect our water and sewer rates, no details on how it might affect our Wastewater Treatment Plant, no details on how the hazardous waste will be handled in the future, no analysis of environmental impacts, and does not include responses to comments from the past three years." AREN'T ALL THESE ITEMS THAT THE DISTRICT'S PAID ENGINEER SHOULD HAVE EXAMINED? WHAT DOES HE DO?

Steve Figler  
CARPINTERIA, CA 93013  
Apr 15, 2017

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Susan Piedra  
Cambria, CA 93428  
Apr 15, 2017

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lucie ryan-mclauchla  
cambria, CA 93428  
Apr 15, 2017

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Nancy  
Cambria, CA 93428  
Apr 15, 2017

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The CCSD's deceptiveness and obfuscation on the desal plant are shameful. Stop it!

John Zinke, MD  
Cambria, CA 93428  
Apr 15, 2017

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Mary Sue Northcutt  
Poway, CA 92064  
Apr 15, 2017

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CCSD must be accountable and stop the. Violations and mismanagement, and and deception...as citizens we will not tolerate this!!

Tracey Cleeland  
Cambria, CA 93428  
Apr 15, 2017

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Malfeasance in local government.

Tom Cochrun  
Cambria, CA 93428  
Apr 15, 2017

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Kelly Cannon  
Cambria, CA 93428  
Apr 15, 2017

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Rebecca Hendricks  
Cambria, CA 93428  
Apr 14, 2017

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Barbara Burd  
Cambria, CA 93428  
Apr 14, 2017

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Dianne Brant  
Cambria, CA 93428  
Apr 14, 2017

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We need to be sure our water is safe and no wildlife is harmed.

Jone Ubbenga  
Cambria, CA 93428  
Apr 14, 2017

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Margaret Wiborg  
NEWTONVILLE, MA 02460  
Apr 14, 2017

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I have friends who live in Cambria, one of whom is a meticulous researcher, so I am writing in support of her concern about this matter.

Nancy Richardson  
Cincinnati, MA 45224  
Apr 14, 2017

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Raul F. Sandoval  
Cambria, CA 93428

Apr 14, 2017

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CEASE AND DESIST THE CCSD NEEDS TO LISTEN TO THEIR CITIZENS AND STOP MAKING DECISIONS WE HAVE NOT APPROVED AND ARE NOT GIVEN THE RIGHT TO VOTE ON.

Johnnie Rhyne  
Cambria, CA 93428  
Apr 14, 2017

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Linda Weesner  
Cambria, CA 93428  
Apr 14, 2017

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The developers and their paid politicians are still out to ruin California!

Joyce Davis  
Pleasanton, CA 94566  
Apr 14, 2017

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Stop the Cambria CSD's rushed water project from causing serious harm to our local creeks and the wildlife that relies on this special habitat. We request that the Cambria CSD mitigate the full impacts of operating this project in a valid "emergency" situation, for existing customers only, which has never been done.

anne winburn  
Los Osos, CA 93402  
Apr 14, 2017

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Matthew Jochim  
Cambria, CA 93428  
Apr 14, 2017

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Samuel  
Cambria, CA 93428  
Apr 14, 2017

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Enough already!!!!

Ted Key  
Cambria, CA 93428  
Apr 14, 2017

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William Knight  
Altadena, CA 91001  
Apr 14, 2017

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We have had enough!

Lucia Capacchione  
Cambria, CA 93428

Apr 14, 2017

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This is unacceptable

Amelia Reese  
Cambria, CA 93428  
Apr 14, 2017

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Peter Frith  
Cambria, CA 93428  
Apr 14, 2017

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WE have been lied to enough! You cannot lie to the Regional Water Quality Control Board. And you cannot fool Mother Nature either!!!

Teresa Lees  
Cambria, CA 93428  
Apr 14, 2017

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The CCSD is attempting to transform what was intended as an emergency water source into a permanent supply, with no CEQA compliance and no public responses to the draft Environmental Impact Report. This willful disregard of State environmental regulations must be corrected and the plant used only as originally intended, with proper environmental monitoring.

Constance Higdon  
Cambria, CA 93428  
Apr 14, 2017

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I thank the Regional Water Quality Control Board staff for taking the initiative on cease and desist. Many of us in Cambria have been calling the Cambria Community Services District to account for deceptive and incompetent actions with the emergency water plant. Please sign the petition to join in the call for trustworthy public service!

Elizabeth Bettenhausen  
Cambria, CA 93428  
Apr 14, 2017

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I am a member of MoveOn.org and though I live in another West Coast state, I have family members in Cambria, Sebastapol, in Santa Rosa County, and San Diego. In signing this petition I back residents of Cambria and outlying areas affected, in desisting a rushed water project by CSD that could potentially harm the creeks and wildlife in their special habitat.

Dianna Eversole  
Bremerton, WA 98312  
Apr 14, 2017

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willy kanariK  
cambria, CA 93428  
Apr 14, 2017

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Leslie Richards  
Cambria, CA 93428  
Apr 14, 2017

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The Cost of this project just keeps increasing. This happens when you RUSH a project without proper planning and without the ratepayers approval.

Dewayne Lee  
CAMBRIA, CA 93428  
Apr 14, 2017

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Stevan Rosenlind  
Cambria, CA 93428  
Apr 14, 2017

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Jim Webb  
Cambria, CA 93428  
Apr 14, 2017

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Janice M. & Paul A. Schmidt  
Cambria, CA 93428  
Apr 14, 2017

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dan field  
Cambria, CA 93428  
Apr 14, 2017

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Nancy Anderson  
Cambria, CA 93428  
Apr 14, 2017

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Hetty Pearson  
Cambria, CA 93428  
Apr 14, 2017

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Debbie Josephson  
Huntington Beach, CA 92646  
Apr 14, 2017

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Eugene Blanck  
Cambria, CA 93428  
Apr 14, 2017

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Enough incompetency!

MELVIN DORIN  
CAMBRIA, CA 93428  
Apr 14, 2017

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Stephen Burton  
Cambria, CA 93428  
Apr 14, 2017

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This is not the right way to the solve the growth issues in Cambria...

Tobey Crockett  
Morro Bay, CA 93442  
Apr 14, 2017

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Even though I don't reside in Cambria, I own property there and am a ratepayer.

Jutta Jacobs  
Memphis, TN 38112  
Apr 14, 2017

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Allan Dean  
Cambria, CA 93428  
Apr 14, 2017

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Christine Heinrichs  
Cambria, CA 93428  
Apr 14, 2017

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Mary Webb  
Cambria, CA 93428  
Apr 14, 2017

**From:** Michael Calderwood  
**To:** [Rokke, Jon@Waterboards](mailto:Rokke_Jon@Waterboards)  
**Cc:** [Tryon, Thea@Waterboards](mailto:Tryon_Thea@Waterboards)  
**Subject:** Fwd: Tentative Cease and Desist Order No. R3-2017-0016  
**Date:** Tuesday, June 20, 2017 11:54:50 AM

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Mr. Rokke,

I sent the attached email to Ms. Tryon and received an “out of office” reply, which indicated she would be out of the office until June 9 (11 days ago!) This has me concerned that the messages from other Cambrians would not be received, read and recorded in an appropriate timeframe, so I am resending my comments to you with the hope that it (and others) will reach the appropriate parties in the appropriate timeframe.

Respectfully,  
Michael Calderwood  
[REDACTED]

Begin forwarded message:

**From:** Michael Calderwood [REDACTED]  
**Subject:** Tentative Cease and Desist Order No. R3-2017-0016  
**Date:** June 20, 2017 at 11:46:40 AM PDT  
**To:** [thea.tryon@waterboards.ca.gov](mailto:thea.tryon@waterboards.ca.gov)

Ms. Tryon,

As a Cambria resident and CCSD ratepayer, I am frankly at a loss as to the reasons you and your colleague Jon Rockke so forcefully stated your objections/opposition to the proposed process of relieving the content of the brine pond. I sat and listened to both of you at the last CCSD Board meeting where the SEIR was put up for endorsement, and kept asking myself - why so harsh? Your positions seemed more punitive and oppressive rather than reasonable and focused on resolving issues. In both public comments I could not find the “why” of the position you both took.

The financial burden on the community, should the most extreme and immediate remedies be taken, will be ridiculous. You’ve presented no real reasons for your extreme demands, and for the life of me I can’t figure out what crushing emergency exists that would have you demand that extreme action be taken. It seems incredibly oppressive and frankly, smacks of agency overreach and abuse. The penalty does not fit the “crime” of trying to address an unforeseen outcome from uncontrollable events.

I totally get that your agency has significant responsibility to protect both the people and the environment. Thanks for doing that. So why then do you want to cause such hardship and frankly send a message to any community that is looking for innovative and untried methods for addressing an issue that affects just about everyone in California, and across the planet? Seems like this approach will drown the baby in the bath water.

Respectfully,

Michael Calderwood  
[REDACTED]





## ***Michael G. Lyons***

[REDACTED]  
Cambria, California 93428-3343

Home [REDACTED], Cell [REDACTED]

Fax [REDACTED]  
[REDACTED]

June 19, 2017

### **Subject: Tentative CDO R3-2017-0016**

Interested persons wishing to provide written comments on the tentative CDO must submit comments no later than **5:00 PM on June 21, 2017** to [Jon.Rokke@waterboards.ca.gov](mailto:Jon.Rokke@waterboards.ca.gov), or to the address below:

Central Coast Regional Water Quality Control Board  
895 Aerovista Place, Suite 101  
San Luis Obispo, CA 93401  
Attn: Jon Rokke

Dear Mr. Rokke,

I am writing to you as a private citizen, resident of Cambria, California, and ratepayer to the Cambria Community Services District.

I attended a special meeting off the CCSD on June 14, 2017, at which time you and Ms. Thea Tryon attended, representing the Central Coast Water Resources Control Board. I considered the timing and public nature of your remarks to be highly inappropriate, as they were made in the Public Comment period before the CCSD board was to consider the subject of our long awaited S.E.I.R. for the Emergency Water System, now named Sustainable Water Facility.

Your remarks were offensive to me as a ratepayer and citizen, having been delivered in an overly aggressive and paternalistic tone, as if to say “WE are the deciders, you WILL NOT question us, and we hold the power here.” If you were

tasked to deliver any decision by the Central Coast Regional Water Quality Control Board, it should have been done directly with CCSD staff and board, and within a reasonable time before the public meeting for the District to have had proper notification. Instead, your remarks came off as “Our way or the highway,” very disrespectful and inconsiderate to the CCSD board, staff, AND the attending rate paying citizens.

In question was the suggestion by the ratepayers of Cambria, represented by our elected officials and staff, that the RO concentrate in the “effluent pond” on CCSD property be allowed to evaporate instead of being “immediately” disposed of by trucking a considerable distance down Highway 1. The contents of the effluent pond are NOT toxic; there is no danger to human health/safety nor to wildlife in the area. The “excess” above freeboard now in the pond is 2 inches, and rapidly evaporating so that within a few days the freeboard requirement will have been met.

As to the RWQC Board’s decision to empty the effluent pond altogether and clean up the pond liner, a reasonable amount of time and patience would solve the problem without the need for an expenditure of an estimated \$1,000,000. The CCSD has agreed not to put any effluent from further SWF operations into that pond, so the only question is the current content. Tests have consistently proved that there has been no leakage of pond contents into the water table below.

I would suggest that an attitude of greater understanding and cooperation, instead of a punitive, threatening “unless you do what we say we will impose heavy fines”...might be the more logical approach than saddling the ratepayers here with a huge and completely unnecessary expense.

Michael G. Lyons



**From:** Paul Carlson  
**To:** [Rokke, Jon@Waterboards](mailto:Rokke_Jon@Waterboards)  
**Subject:** Comments Regarding CDO R3-2017-0016  
**Date:** Tuesday, June 20, 2017 4:19:18 PM

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Jon Rokke  
Water Resources Control Engineer  
Central Coast Regional Water Quality Control Board  
895 Aerovista Place, Suite 101  
San Luis Obispo, CA 93401-7906

Sent via Email at 4:18 on June 20, 2017

Re: CDO R3-2017-0016

Dear Mr. Rokke,

I am writing in reference to the Cambria Community Services District (CCSD) Tentative Cease and Desist Order (CDO) No. R3-2017-0016, to be considered by the Central Coast Regional Quality Control Board at its next scheduled meeting on July 13, 2017.

As a resident of Cambria since 2006 and as with many of my neighbors in Cambria, I am concerned about the difficult and expensive mandate placed on the CCSD to remove the water from the evaporation pond "ASAP". It is my understanding that this would involve trucking the water some distance at considerable and excessive expense. In addition to the expense it may create a greater environmental hazard in trucking the water than the current state of the water both due to possible vehicle accidents as well as vehicle emissions created in trucking. It is my understanding and belief that the current state of the water in the pond is not particularly "toxic" and the condition would warrant a more lenient and less expensive process for removal, possibly by natural evaporation or a combination of natural evaporation and other means such as partial trucking. Note we are approaching two or three of the warmest months of the year and waiting for the result of that time frame to eliminate much of the water makes sense. Just note the amount of water that must be replaced in swimming pools throughout the year due to evaporation.

I am asking that you please try to work with the majority of Cambrians as the water board has done in the past. Please consider alternative actions that would accomplish objectives without causing excessive hardship on the residents of Cambria. The majority of Cambrians support both our emergency water supply as well as the conversion to a regular source of water so we can enjoy life the year around as other residents of California do so on a regular basis. This support of the Cambrian community has been evidenced at both agency meetings and at public elections of directors who support the water project. Please do not be swayed by the vocal minority that wish to deprive Cambrians of water in order to accomplish their own actions to limit growth and progress in Cambria. Depriving us of adequate water in order to maintain a building moratorium seems to be the objective. There are more reasonable ways to limit growth than maintaining a community that cannot flush its toilets or fill its bird baths the year around.

I might add that one of the functions of water boards and our greater governmental community should be to see that the community is supplied with sanitation, adequate water, fire and police protection and safe

public roads. While I am not a big fan of large and excessive governments and government agencies, Cambrians cannot individually provide their own water supplies and so it makes sense for this to be orchestrated by our state, county and community governments as well as our water board. Now I am asking you to help me and my fellow Cambrians who have limited water and somewhat limited financial means that we may have an adequate water supply at an affordable cost.

Thank you for your understanding and consideration.

Sincerely,

Paul Carlson

[REDACTED]

Cambria, CA 93428

**From:** [Denker, Sharon@Waterboards](mailto:Denker,Sharon@Waterboards)  
**To:** [Rokke, Jon@Waterboards](mailto:Rokke,Jon@Waterboards)  
**Subject:** FW: Cambria TCD Order  
**Date:** Wednesday, June 21, 2017 1:13:07 PM

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**From:** Paul McDonnell [REDACTED]  
**Sent:** Monday, June 19, 2017 10:38 PM  
**To:** WB-RB3-centralcoast <centralcoast@waterboards.ca.gov>  
**Subject:** Cambria TCD Order

**Subject: CCSD**

VIA E-MAIL: [Centralcoast@waterboards.ca.gov](mailto:Centralcoast@waterboards.ca.gov)  
Mr. Jon Rokke  
Central Coast Regional Water Quality Control Board  
895 Aerovista Place, Suite 101  
San Luis Obispo, CA 93401

Cambria: Cease and Desist order No. R3-2017-0016

Dear Mr. Rokke:

I am writing to you not only as a Cambria resident, but as someone who has spent the bulk of his career in the public sector in different capacities: financial consultant, investment banker, county treasurer and budget director. My wife and I built our home in Cambria in 2007 on a parcel we purchased some time prior to the current moratorium.

As a ratepayer and property owner I share the concerns of many in Cambria about the potential financial impact on the community of the Board's decisions regarding new requirements to have the Cambria Community Services District (CCSD) remove brine waste from the evaporation pond incorporated as part of the initial design of the Emergency Water Project. The proposal to require mechanical removal is an unnecessary expense that should not be borne unless the risk and likelihood of substantial brine migration was firmly established.

I recognize that the Regional Water Quality Control Board has an important and critical mission in the protection of our watershed. The Board's review of the initial plant design was a key step for the project. The District and the community appreciated your willingness to assist Cambria at a time of true emergency. Since then I have tracked the recent issues regarding reporting and compliance. (Complaint R3-2017-0015) Clearly the CCSD staff fell short of your expectations with respect to reporting requirements and ultimately moved to address them by moving forward to employ dedicated staff

capable of meeting the requirements to operate the Sustainable Water Facility.

My concern is that vexation with the CCSD's learning experience in the reporting arena may have set the stage for the current proposal you presented at CCSD special meeting on June 14 that the District remove the brine as quickly as possible and ship it out of the area for disposal. I would suggest that the CCSD has now demonstrated more than a good faith effort to meet its compliance obligations. At the same time, the CCSD's proposal to utilize evaporation as the primary removal method is not only reasonable, but consistent with the underlying facts that at this point do not appear to call for an immediate and drastic intervention. The cost impacts of that additional effort would only further drive up water rates.

Local water districts need your help, patience and guidance as they face increasing supply challenges and turn to new methods of meeting the need to replace or supplement water supply. Punitive or expensive mitigation measures should be the last resort in dealing with public water agencies. I urge you to work with the CCSD to find that its plan for waste removal fits with your joint missions, and is reasonable, cost-effective and safe.

Sincerely,

Paul McDonnell



**Confidentiality Disclaimer**

This email is confidential and intended solely for the use of the individual(s) to whom it is addressed. The information contained in this message may be privileged and confidential and protected from disclosure. If you are not the author's intended recipient, be advised that you have received this email in error and that any use, dissemination, forwarding, printing, or copying of this email is strictly prohibited. If you have received this email in error please delete all copies, both electronic and printed, and contact the author immediately.

[County of Riverside California](#)


**From:** Rita Burton  
**To:** [Rokke, Jon@Waterboards](mailto:Rokke_Jon@Waterboards)  
**Subject:** EWS/SWS Ceast and Desist Order  
**Date:** Wednesday, June 21, 2017 12:41:25 PM

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We are in complete agreement with the Regional Water Quality Control Board's Cease and Desist order.

Respectfully submitted,

Rita and Stephen Burton

  
Cambria, CA 93428



**From:** Sherri G. Bell  
**To:** [Rokke, Jon@Waterboards](mailto:Rokke_Jon@Waterboards)  
**Subject:** Cambria Community Services District Cease and Desist Order  
**Date:** Wednesday, June 21, 2017 4:57:30 PM

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We urge you to finalize the April 18, 2017, Cease and Desist Order (CDO) against the Cambria Community Services District (CCSD). In our opinion, the CCSD cannot be relied upon to meet the requirements of operating the “Un-sustainable Water Facility” as shown by the CCSD staff’s arrogance and/or inability in meeting the hundreds of Regional Water Quality Control Board’s filing deadlines. The CCSD’s inability to comply with the RWQCB’s Notice of Violations, especially its failure to address the many problems related to the surface impoundment for waste storage, shows an incompetence that puts the community at risk and for which it should be held responsible.

Please issue your final CDO. It is unfortunate that it will be the ratepayers who must foot the bill for this Board’s folly; it will be just one more example of the fleecing of Cambrians by the CCSD Board’s foolish and irresponsible decisions.

Thank you.

John and Sherri Bell

 Cambria, CA 93428

June 21, 2017

Jon Rokke and Thea Tyron  
Central Coast RWQCB  
895 Aerovista Place, Suite 101  
San Luis Obispo, CA 93401-7906

Hello-

This letter is to support the Water Board's adoption of the Cease and Desist Order recently filed regarding the Cambria Emergency Water Supply Project, now called the Sustainable Water Facility Project. I spoke to many concerns about the project at the recent Cambria Community Services District special meeting when the Board was scheduled to certify the Final Supplemental EIR for the project. I am appending those comments here for the record.

Thank you.

Stephnie Wald

[REDACTED]

Oceano, Ca 93445

[REDACTED]

June 14, 2017

Cambria Community Services District (CCSD)  
1316 Tamson Drive, Suite 201  
Cambria, CA 93428

Please accept the following comments on the Cambria Sustainable Water Supply Project SEIR, formerly scoped as the Cambria Emergency Water Supply Project. I am contributing comments as a private citizen interested in steelhead trout impacted by the project.

### **Baseline Information**

The lack of baseline information upon which the SEIR is based to evaluate project impacts is deeply troubling. No creek habitat typing was completed to generate datasets upon which to gauge project impacts. No comprehensive watershed-wide Steelhead Abundance and Distribution Survey was conducted to evaluate how population changes related to the project's actions would be reflected in population numbers in the future. Such a study provides strong representation of the general distribution and relative abundance of steelhead and presence/absence of other species for San Simeon Creek. The approach is repeatable and would provide a good baseline. In addition, it is incumbent upon the CCSD to demonstrate a pattern of drying in reaches downstream of the project foot print that conforms with data provided to substantiate claims of historically dry reaches downstream of the project. Regular flow monitoring and mapping of drying reach downstream of the project site would establish a robust baseline.

### **Protocols for Reappearance of Steelhead Trout**

The SEIR states,

*Additionally, Mitigation Measure BIO-15 requires that the CCSD continue with its existing efforts to monitor the creek habitat adjacent to, and downstream from the Project area, as required by the AMP, and specifies provisions, in the event migrating steelhead reappear within the San Simeon Creek.*

How does the District intend to determine whether or not Steelhead reappear? What protocol will be used? Will the District employ a Didson camera to monitor and record steelhead presence/absence? Will a human monitor be present 24/7 to determine reappearance? If a mechanism of detection is not specified, mitigation measure BIO-15 is meaningless.

### **Operational Considerations**

Steelhead redds have been regularly found in coastal San Luis Obispo County watersheds as late as April. During the development of a Watershed Management Plan for San Simeon Creek, adult Steelhead were observed in San Simeon Creek in May/June 2012.

### **Critical Habitat**

The SEIR asserts that lower San Simeon Creek is not critical habitat steel head because it typically goes dry naturally 50% of the time during the spring and summer. This assertion is based on the County's gage located approximately 1 mile upstream from the mouth. County data utilized is from the time period 1987-2013. The analysis and conclusions as currently reported raise a number of significant concerns as follows:

- The County rating curve is located in an erodible cross-section that regularly experiences changes in cross-sectional form. Rating curves in erodible cross-sections must be surveyed and maintained regularly to remain accurate.
- The County rating curve at San Simeon has been neither maintained nor validated by the County (i.e.: the rating curve is not valid).
- The County rating curve does not cite the source of the data utilized in development the curve.

- Clarification of where the data utilized to develop the County rating curve came from and the period of time for which the County rating curve is valid should be obtained from the County.
- If the rating curve is invalid, then any flow analyses and conclusions based on the rating curve could be invalid.
- In an erodible cross-section, the stage value at which the creek has no flow or goes dry would change over time.
- The historical stage value at which the creek has no flow or goes dry could potentially be corrected for; however, no such correctional analysis is reported.
- Analysis of the spring and summer periods should be separated not lumped together. Currently, if Table 1 in Appendix E is correct, spring flows have historically met EWD near 100% of the time in the spring. The potential impact of proposed operations on spring rearing habitat needs to be addressed separately from its impact on summer rearing habitat.
- A summary of known historical surface and groundwater withdrawals near the county gage for the time period 1987-2013 should be summarized and reported. Flows recorded during the time period 1987-2013 may be significantly impacted by human withdrawals.

### **Absence of Comments**

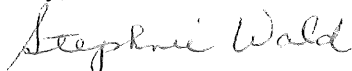
I find the absence of comments from California State Parks deeply troubling as this agency is responsible for the public trust resources, including steelhead trout, which utilize habitat within the San Simeon State Park. Evidence lacking, I surmise that actual comments from State Parks have been seen as fatal flaws and have therefore been prevented from entering the public record by forces that prevail politically.

### **Looking Ahead**

Given the combined usage of Santa Rosa Creek and San Simeon Creek to provide water to the community of Cambria, I believe it is in the best interest of the community and the District to pursue a Habitat Conservation Plan that covers both watersheds and enables the District to protect itself from incidental take of Steelhead trout. Grant funds are potentially available to pursue to fund an effort such as this.

I will continue to urge public trust resource agencies to follow up on the comments they've previously made and to strongly recommend they respond to the District's comments to their comments to ensure that a continuous record of jurisdictional matters remains in play.

Sincerely,



Stephnie Wald  
1776 Tierra Nueva Lane  
Oceano, CA 93445  
[swaldcoho@hotmail.com](mailto:swaldcoho@hotmail.com)

cc:

Julie Vance, Annette Tenneboe, Joshua Grover, Linda Connolly, Charles Walbridge, Brandon Sanderson and Eric Wilkins, CDFW  
Matt McGoogan, NMFS  
Tom Luster, California Coastal Commission  
Lena Chang and Steve Henry, US Fish and Wildlife Service  
Doug Barker, California Department of Parks and Recreation

June 20, 2017

Mr Jon Rokke  
Central Coast Water Board  
895 Aerovista Place  
Suite 101  
San Luis Obispo CA 93401

Mr. Rokke and Water Board Members:

Between the many late CCSD reports, your April 13 letter adding a hundred and sixty two additional violations, incredibly delinquent EIR, and failed discharge design I fully support the Cease and Desist order for the Cambria de-sal plant.

Of greatest importance right now is the effluent pit, which remains in non-compliance. This situation may currently be impacting species in that area and let's hope it's not leaking toxins into the San Simeon Creek and thereby, reaching the Marine Sanctuary. Speaking for myself as an animal rescue volunteer this whole situation makes me physically ill.

Your order must be enforced and this effluent removed by means much faster than evaporation. I'm concerned that even if low level Boron contaminant is included in the regular CCSD waste stream the net result is that the waste is all eventually going to the same location, inside the sanctuary. The effluent should be trucked out as soon as possible and again I cannot support the Cease and Desist more strongly

Thank You

Ted Key

  
Cambria, CA 93428

Tina S. Dickason  
[REDACTED]  
Cambria, CA 93428

June 20, 2017

Members of the Board  
Central Coast Regional Water Quality Control Board  
895 Aerovista Place, Suite 101  
San Luis Obispo, CA 93401

Attention: Mr. Jon Rokke  
[Jon.Rokke@waterboards.ca.gov](mailto:Jon.Rokke@waterboards.ca.gov)

RE: CAMBRIA COMMUNITY SERVICES DISTRICT  
TENTATIVE CEASE AND DESIST ORDER NO. R3-2017-0016

Dear Members of the CCRWQCB:

Having paid very close attention to the Cambria Community Services District (CCSD) in its pursuit of an alternative water supply, it has become very clear that the District has failed to fulfill the many required tasks associated with the Emergency Water Supply (EWS) facility. In particular, my comments today address the Tentative Cease and Desist Order No. R3-2017-0016, relating to the Surface Impoundment, and some background information leading up to this issue.

The numerous requirements the CCSD undertook when the Regional Board issued permits for Titles 22 and 27, have not been adequately adhered to, resulting in an earlier NOV, Feb. 27, 2015. The CCSD responded to the NOV on March 3, 2015, in a press release to the RWQCB. In an excerpt from that press release, (see in italics below) the evaporation pond was cited as one of the items in that NOV. While that particular violation is not what is being addressed in the Tentative Cease and Desist Order, it does demonstrate that the CCSD was having issues with the evaporation pond at that time, and continues to do so up to the present.

*“The Cambria Community Services District values its collaborative relationship with the Central Coast Regional Water Quality Control Board (‘Water Board’) as we have worked together to build, test and begin operating the CCSD’s Emergency Water Supply (EWS) project. So it is unfortunate that the Water Board judges the CCSD to have violated certain provisions of the permits granted to the CCSD for the EWS project operation. We are in the process of preparing a formal response and a plan to address all of the issues raised in the March 2, 2015 ‘Notice of Violation.’*

*“To sum up the ‘Notice of Violation,’ the EWS has at least temporarily been out of compliance with permit provisions in three general areas – operation of the evaporation pond, release of ‘mitigation water’ to maintain freshwater levels of the San Simeon Creek Lagoon, and failing to meet certain deadlines for reporting and monitoring during the initial operation phase.”*

Additionally, NOV's were issued Aug. 12, 2016, Oct. 24, 2016, and Feb. 9, 2017. The Regional Board assessed fines in accumulation of \$597,000 in the Feb. 9, 2017 NOV, which were reassessed to a very fair total of \$53,596. According to the Feb. 9, 2017, NOV, over 162 violations were "newly identified." Regional Board staff has been more than lenient in their reminders of violations to the CCSD. It would appear the reminders went, for the most part, unheeded. (See below, a response to CCSD from the CCRWQCB)

*The CCSD has repeatedly failed to submit timely and complete reports, and has failed to properly communicate significant issues associated with the surface impoundment to Water Board staff as required by WDR Order No. R3-2014-0047. Water Board staff issued notices of violation to the CCSD for violations of WDR Order No. R3-2014-0047 on February 27, 2015, August 12, 2016, and October 24, 2016. As it is our preference to work collaboratively with dischargers to facilitate compliance, on many occasions Water Board staff has reminded CCSD staff of various requirements and has allowed them more time to submit required documents.*

### **Flooding events at the Surface Impoundment in early January, 2017**

On January 4, 2017, I made a trip to San Simeon Creek Rd. to observe flooding that had occurred from 4.71 inches of rainfall, Jan. 2 through Jan. 4. The CCSD's San Simeon well field was flooded, and storm run-off was several inches deep in a section of San Simeon Creek Rd., directly across from the Surface Impoundment. The pitch of San Simeon Creek Rd., north to south is such that storm run-off was flowing toward the impoundment area. I took photos of the flooded areas and forwarded them to Ryan Lodge at the CCRWQCB. The following week, there was another 4-day rain event, from Jan. 7, through Jan. 10, amounting to 5.26 inches. I made other trips out to San Simeon Creek Rd. on Jan. 8 and 9, taking photos and sending them to Ryan Lodge. I was concerned about the amount of water flowing heavily toward the Surface Impoundment. I made a call to Ryan Lodge on Jan. 10, asking if he could take a look at the situation. I asked him if CCSD staff had informed him of the situation, and he told me they had not. I spoke to Mr. Lodge the afternoon of Jan. 11, and he told me he had been to the Surface Impoundment site that morning. My understanding is that in such situations, a report from an agency is required within 24 hours. This resulted in a violation addressed in the Regional Board's NOV of Feb. 9, 2017. (Please see in italics below, an excerpt from a letter to CCSD general manager, Jerry Gruber from Michael Thomas of the CCRWQCB, dated Feb. 9, 2017, related to the paragraph above)

*Mr. Jerry Gruber - 2 - February 9, 2017*

**Background Information – Provision E.26.b Violation**

*WDR Order No. R3-2014-0047, Provision E.26.b requires the CCSD to notify the Water Board Executive Officer within 24 hours by telephone and within 14 days in writing of any flooding, equipment failure, slope failure, or other change in surface impoundment conditions which could impair the integrity of waste containment facilities or of precipitation and drainage control structures.*

*On January 10, 2017, Water Board staff received a call from a concerned citizen regarding CCSD activity at the surface impoundment on Sunday January 8, 2017. Water Board staff called Bob Gresens, Cambria CSD Engineer, on January 10th to coordinate a site inspection for the following day. Mr. Gresens indicated that there had been flooding on a road, and said he would have a CCSD staff person meet Water Board staff at the surface impoundment to provide access for the inspection. Mr. Gresens did not mention that the flooding on the road had flowed onto CCSD property and had entered the surface impoundment. The CCSD activities occurring*



*on January 8th prompting the concerned citizen phone call were reportedly routine activities of the CCSD biologist and were unrelated to the flooding.*

*On January 11, 2017, Water Board staff arrived at the surface impoundment to find CCSD staff, Bob Gresens, John Allchin, and Jason Buhl, trying to identify the source of the flood waters crossing San Simeon-Monterey Creek Road. CCSD staff explained that a culvert on the neighboring property to the north was blocked causing the neighboring property to flood. The flood waters overtopped San Simeon-Monterey Creek Road and flowed onto CCSD property and into the surface impoundment. CCSD staff reportedly identified the problem on Monday January 9th during a daily site inspection and immediately worked to clear the drainage system on CCSD's property upgradient of the surface impoundment. CCSD staff successfully diverted the flows around the surface impoundment on January 9th on CCSD property. Floodwaters continued to flow across San Simeon-Monterey Creek Road and around the surface impoundment on January 11th.*

*During the January 11th site visit, Water Board staff spoke with the CCSD staff at the site and let them know they were required to notify Water Board staff that the surface impoundment was receiving flood waters. Mr. Gresens indicated that they were busy handling multiple issues at the time. Water Board staff informed Mr. Gresens and the other CCSD staff at the site that they need to contact Water Board staff when issues occur that could compromise the surface impoundment integrity or result in overflows. While on site, Water Board staff reviewed the site daily inspection logs and found they documented a two foot increase in the surface impoundment water elevation between the January 8th and January 9th inspections, indicating CCSD staff was aware significant flood waters had entered the surface impoundment between the two inspections. The January 8th inspection log also documented that the brine pond water was turbid, which is an indication that stormwater runoff from adjacent land and associated sediment had been entering the surface impoundment. Normally the surface impoundment brine is a greenish color. No actions were taken to determine the source of the turbid water on January 8th. It wasn't until January 9th when the surface impoundment water elevation had risen two feet before CCSD staff realized stormwater was entering the surface impoundment.*

*Water Board staff informed Mr. Gresens of the 14-day reporting requirement in a voicemail on January 13, 2017, and verbally by phone on January 17, 2017, and indicated the report was due 14 days after the CCSD discovered flood waters entering the surface impoundment. Flood waters entering the surface impoundment in an uncontrolled manner could have filled and overtopped the surface impoundment. Flooding clearly overwhelmed the drainage control structures forcing CCSD staff to take emergency actions to prevent floodwater from overwhelming the surface impoundment structure. CCSD staff failed to notify the Executive Officer within 24 hours of identifying the flooding that caused stormwater to partially fill the surface impoundment. CCSD staff also failed to submit a written report, due by January 24, 2017, within 14 days of identifying floodwaters entering the surface impoundment. The CCSD submitted the 14-day report on January 31, 2017, which is 21 days after the CCSD discovered the flooding issue and thus represents seven days of violation.*

The Evaporation Pond was designed to withstand a 1,000 year flood with a 24-hour storm event of 10.2 inches that would still maintain 24 inches of freeboard. Clearly, the storm events from Jan., 2017, did not occur in one 24-hour storm event with rainfall of 10.2 inches. (The amount of rainfall from Jan. 2, 3, and 4<sup>th</sup>, 2017, was 4.71 inches).

It is my strong belief that the CCRWQCB has done everything possible to assist the CCSD in avoiding issues with the Surface Impoundment. There have been numerous reminders from the Regional Board to the CCSD in attempts to avoid NOV. Unfortunately, the CCSD has not complied with their requirements, and the CCRWQCB has found it necessary to issue a Tentative Cease and Desist Order, which I fully support, based on CCSD's history of non-compliance (see excerpt from CCRWQCB in italics

below). The CCRWQCB has an obligation to uphold the requirements necessary for agencies to follow the rules under the permits they have obtained through the Regional Board, and we the public, depend on regulatory agencies to do address serious issues when confronted with them.

*CCSD is hereby notified of Water Board staff's determination that the CCSD is not managing the Surface Impoundment in compliance with Order No. R3-2014-0047. As discussed below, Water Board enforcement staff is preparing a cease and desist order and an administrative civil liability complaint for the Board's consideration at its July 2017 meeting (or a later meeting). Additional information on these enforcement decisions is forthcoming.*

(Excerpt from Enforcement Program, dated April 13, 2017 to CCSD general manager, Jerry Gruber, from Michael Thomas, Assistant Executive Officer, CCRWQCB).

In summarizing, I would like to express my gratitude to the staff of the CCRWQCB, for their high level of professionalism in carrying out the difficult tasks you have been presented with. The Surface Impoundment has been a source of problems from the outset, many of which were addressed in the IS/MND and other documents related to the EWS. In the interest of safety, and for the protection of the environment, I believe a permanent Cease and Desist Order is the only recourse that can be taken.

Respectfully,  
Tina Dickason

**From:** Tom Gray  
**To:** [Rokke, Jon@Waterboards](mailto:Rokke_Jon@Waterboards)  
**Cc:** [Robertson, John@Waterboards](mailto:Robertson_John@Waterboards)  
**Subject:** CCSD Cease and Desist Order No. R3-2017-0016  
**Date:** Tuesday, June 20, 2017 4:51:53 PM

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Mr. Jon Rokke  
Central Coast Regional Water Quality Control Board  
895 Aerovista Place, Suite 101  
San Luis Obispo, CA 93401

Dear Mr. Rokke,

I am writing in reference to the Cambria Community Services District (CCSD) Tentative Cease and Desist Order (CDO) No. R3-2017-0016, to be considered by the Central Coast Regional Quality Control Board at its meeting on July 13, 2017.

My wife and I have been full-time residents of Cambria since 2009 and owners of property in this community since 2005. As ratepayers served by the CCSD, we stand to be directly impacted by the upcoming decision of the regional Water Board. I would like to share with you why we are extremely concerned with the recommendation of your “prosecution team” that the Board impose a harsh and costly plan on the CCSD for decommissioning the current reject-water disposal system for the Sustainable Water Facility (SWF).

As you will recall, you and your colleague Thea Tryon appeared at the June 14, 2017 meeting of the CCSD Board of Directors to raise your objection to an element of the proposed Subsequent Environmental Impact Report (SEIR) for the SWF. The SEIR offers a decommissioning plan that allows the evaporation pond to dry out naturally over several years, after which a relatively small amount of remaining concentrated brine can be trucked to an appropriate Class II disposal facility. As you said at that meeting, the regional Water Board staff wants a much more “aggressive” plan. He did not give further details on what the prosecution team is demanding, but, to judge from a written response submitted on June 14 to the tentative CDO, the staff wants all reject water from the reverse-osmosis process to be removed from the pond “at the earliest possible date.” There is no qualifying language here regarding economic feasibility or other mitigating factors. So I have to assume that the staff wants the pond emptied ASAP.

What would this mean in practice? Statements from the staff leave that question hanging, but the answer is clear to anyone who has followed the course of this water project and understands the stringent regulations under which it operates. There is only one fast option for emptying the pond – trucking the brine to a distant disposal site. Other options, such as releasing the water into the ocean, nearby streams or groundwater, would require a lengthy (possibly years-long) permitting process involving both state and federal entities.

And how much would the trucking option cost? That is no mystery, either. It would be very expensive.

In developing an alternative method of brine disposal for the SWF to replace the evaporation pond, the CCSD has located a facility to accept its reject water – the South San Luis Obispo County Sanitation District site in Oceano – and has come up with estimates of total transportation costs per truckload. In addition to the 11 cents per gallon charged by the

Sanitation District for taking the pond water, the roughly 100-mile round trip will cost about \$300. A typical 4,000-gallon truckload thus would cost about \$740. The evaporation pond is currently near the required freeboard level, holding over 20 acre-feet, or more than 6.5 million gallons. That comes to more than 1,600 truckloads, at a total cost of over \$1.2 million.

I hope at this point you can see why we, as ratepayers, are concerned. The CCSD has fewer than 4,000 customers who would have to shoulder the cost of this disposal plan. If it were necessary – for instance, if the pond were leaking – the community might accept the need to pay for it. But there is no evidence of a leak. Data from the monitoring of groundwater levels under the pond make it clear that the rising water table detected early this year was a temporary phenomenon caused by extraordinary rainfall and runoff. No leak means no emergency – and no justification for a fiscally punitive disposal plan.

As you know, the CCSD has agreed not to contest the CDO, so the primary enforcement objective of the Water Board staff has been met. It is agreed on all sides that the evaporation pond will no longer be used to dispose of RO reject water. The only question now is what is a fair and reasonable work plan for removing the water that remains in the pond. The CCSD's plan meets all the applicable tests. It's fair to the ratepayers. It is safe. It is environmentally superior to a plan that would require more than a thousand truck trips. In short, it is a reasonable response to a situation that is in no way an emergency.

Finally, I suggest that the Water Board staff consider the message that it would send to other California water suppliers by imposing a punitive decommissioning plan on Cambria. Ours is not the only community that faces potential water shortages, and others will surely be looking, as we did, to new and environmentally sound methods for ensuring water security in the future. Until recently, the Water Board and its staff have supported our efforts; in doing so, they have conveyed a welcoming attitude toward innovation. The newly harsh enforcement approach tells water agencies to take no risks and try nothing new, because the potential penalties for unexpected glitches are just too steep. For the state's sake as well as ours, I hope the staff goes no further down that route.

Yours Truly,

Tom Gray

