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Fish and Game Commission



Wildlife Heritage and Conservation
Since 1870

February 1, 2017

Dayna Bochco, Chair

Members

California Coastal Commission
45 Fremont Street, Suite 2000
San Francisco, CA 94105-2219

Dear Chair Bochco and members of the California Coastal Commission:

I am writing on behalf of the California Fish and Game Commission (FGC) to offer comments for consideration on proposed desalination projects in general, and the Huntington Beach proposal specifically.

With California in its fifth year of drought, seawater desalination has been proposed as one solution to the water needs of California communities. FGC understands the need to explore new and alternative measures to meet resource demands in a sustainable manner, and recognizes that seawater desalination has the potential to be a valuable tool in California's water supply portfolio. At the same time, the seawater desalination process also has the potential for significant detrimental impacts to California's marine ecosystems. Thus, FGC would like to emphasize that seawater desalination projects must be considered and analyzed carefully, and ultimately designed in a way to avoid or minimize adverse effects in the marine environment to the greatest extent possible.

FGC also recognizes that climate variability, and an increased need for alternative resource uses, are issues facing all resource management agencies, and that balancing the needs of human populations in the face of uncertain resource availability can be a difficult task. The mission of FGC is to ensure the long-term sustainability of fish and wildlife in California. Furthermore, in an effort to preserve marine ecosystem functions and complement species-specific management, FGC adopted the nation's first coast-wide network of marine protected areas (MPAs), as you are aware. In place since 2012, California's globally significant MPA network was created to help ensure that the natural diversity, marine ecosystem functions, and marine natural heritage of the state were protected while also helping to improve recreational, educational and study opportunities.¹ FGC, with the California Department of Fish and Wildlife as the lead implementing agency, has invested significant time and resources to ensure that the

¹ Marine Life Protection Act, Fish and Game Code § 2853(b)

MPAs are managed in a manner consistent with stakeholder intent and legislative guidance, and ensuring the system of MPAs functions as a robust network.

It is the understanding of FGC that there are at least nine active proposals for seawater desalination plants along the California coast that would join the ten existing plants², some in close proximity to MPAs. FGC seeks to strengthen the shared commitment of our partner coastal management agencies to help maximize MPA network functionality by considering actions that subject the MPA network to minimal human disturbance. FGC valued the opportunity to work closely with the California Coastal Commission and its staff during the MPA planning process and would like to acknowledge the commission's continued leadership in upholding standards for marine protection, specifically its role as a key member of the MPA Statewide Leadership Team convened by the Ocean Protection Council. Therefore, FGC supports efforts to reduce impacts to marine resources by evaluating potential project impacts to individual MPAs, the MPA network as a whole, and site-specific marine resources during permitting and decision-making processes. As such, we urge the commission to require that proposals for seawater desalination facilities avoid or minimize impacts to MPAs and all marine resources through best available siting, design, and technology.

Minimizing impacts through thoughtful design is consistent with the State Water Resources Control Board's recently adopted Ocean Plan Amendment, which requires desalination plants to use the best available site, design, technology and mitigation measures feasible to minimize intake and mortality of marine life *and identifies subsurface intakes as the preferred technology*.³ Additionally, the board's policy contains requirements for protecting MPAs, including a prohibition on harmful intake and discharge structures *within* MPAs and a directive to site discharge and surface intakes at sufficient distances to minimize water quality and marine life impacts to protected areas.

Impacts to marine life from seawater desalination can be avoided through current technology such as subsurface intakes, which pull in ocean water through pipes beneath the seafloor rather than through an open pipe in the water column. This subsurface technology eliminates impacts to marine life from being impinged on an intake screen or entrained in the source water from an open ocean intake, impacts that can result in significant injury and death of marine species. Unfortunately, the policy also provides flexibility for alternative intake and disposal methods, with greater impacts to marine life, if it can be demonstrated that preferred technologies are infeasible.

FGC urges that, due to potential impacts to marine resources, open ocean intakes be avoided. While new desalination projects with open ocean intakes will not be permitted within MPAs, facilities with open ocean intakes *near* MPAs can have direct impact on marine resources through incidental take and the reduction of critical larval connectivity

² <http://pacinst.org/publication/key-issues-in-seawater-desalination-proposed-facilities/>

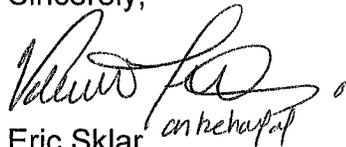
³ State Water Resources Control Board, Final Staff Report and Final Desalination Amendment, including the Final Substitute Environmental Documentation. Adopted on May 6, 2015. Available at: http://www.waterboards.ca.gov/board_decisions/adopted_orders/resolutions/2015/rs2015_0033_sr_apx.pdf

between MPAs as marine life is pulled into the plant and removed from the ecosystem. Impacts from open ocean intake have the potential to undermine the ability of our MPAs to function as a network, weakening the science-based framework on which they were created and potentially their ability to generate expected long-term benefits.

With desalination facilities poised for your consideration, it is critical to uphold the protection within California's MPA network, and to preserve the state's significant investment in the resilience of our ocean. Seawater desalination can be a tool in our water supply portfolio, but it must be analyzed carefully and designed in a way to avoid or minimize adverse effects to the greatest extent possible. Siting these facilities away from MPAs (and other sensitive habitats and species) and requiring the use of subsurface intakes will help ensure California's ocean ecosystems are sustained for the long-term.

We urge you to require precautionary design, siting and technology for the Huntington Beach desalination plant and any future seawater desalination proposals along the California coastline.

Sincerely,



Eric Sklar
President

cc: John Ainsworth, Acting Executive Director, California Coastal Commission
Members, California Fish and Game Commission
Felicia Marcus, Chair, State Water Resources Control Board
John Corbett, Executive Officer, and members, North Coast Regional Water
Quality Control Board
Terry Young, PhD, Chair and members, San Francisco Bay Regional Water
Quality Control Board
Dr. Jean Pierre Wolff, Chair and members, Central Coast Regional Water Quality
Control Board
Irma Munoz, Chair and members, Los Angeles Regional Water Quality Control
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William Ruh, Chair and members, Santa Ana Regional Water Quality Control
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Henry Abarbanel, Chair and members, San Diego Regional Water Quality Control
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