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From: Daniel Cormode
186 Gorrion Ave
Ventura, CA 93004

To: Gina Dorrington
City of Ventura
501 Poli Street
Ventura, CA 93002-0099
Email: gdorrington@cityofventura.ca.gov

Subj: VENTURA WATER SUPPLY PROJECT Draft Environmental Impact Report, SCH 2017111004, dated March 2019 Review Comments

1. The City of San Buenaventura distributed the VENTURA WATER SUPPLY PROJECT Draft Environmental Impact Report, SCH 2017111004, dated March 2019 for public review and comment.
2. The following is a summary of the comments which were a result of review of the subject EIR:
 - a. The subject EIR fails to comply with Section 15131 of the Guidelines for Implementation of the California Environmental Quality Act Article 9 Contents of Environmental Impact Reports by not addressing the social and economic impact of either adopting or not adopting the estimated \$512M proposed project.
 - b. AWPf design requirements used for preparation of the subject EIR are outdated and understated.
 - c. The Summary of Ventura Water Supplies presents an optimistic unrealistic picture of reality. Normal year supplies do not reflect reductions in water supplies as a result of current legal challenges, climatic changes or planned capital water projects.
 - d. Estimated 2030 supplies are based on the unrealistic assumption that water supplies will return to normal conditions by 2025 and 2030¹.
 - e. Additional water from the future Advanced Water Purification Facility is not identified.
 - f. Curtailment of delivery of water from Casitas Municipal Water District with in-lieu delivery of water from the State Water interconnection is not identified.
 - g. The projected loss of water supply due to Lake Casitas becoming dry by 10/02/2024 based on the current depletion rate is not considered.
 - h. The additional 2,500 acre-feet of water from the Ventura River/Foster Park is based on increasing the surface diversion capability of the Ventura River which was destroyed in 2005.
 - i. Delivery of State Water is not identified.
 - j. What is the assurance that the design and construction of the project as proposed will be able to meet the yet to be defined final performance criteria?
3. The subject EIR fails to comply with Section 15131 of the Guidelines for Implementation of the California Environmental Quality Act Article 9 Contents of Environmental Impact Reports by not

¹ Draft 2019 Comprehensive Water Resources Report dated 03/21/2019, p 4-13.

addressing the social and economic impact of either adopting or not adopting the estimated \$512M proposed project.

4. The California Environmental Quality Act (CEQA) specifies California Environmental Impact Reports (EIR) shall include social and economic information.
 - a. Environmental Impact Reports shall contain the information outlined in this article.²
 - b. Draft EIRs shall contain the information required by Sections 15122 through 15131. Final EIRs shall contain the same information and the subjects described in Section 15132.³
 - c. Economic or social effects of a project may be used to determine the significance of physical changes caused by the project.⁴
 - d. Economic, social, and particularly housing factors shall be considered by public agencies together with technological and environmental factors in deciding whether changes in a project are feasible to reduce or avoid significant effects on the environment.⁵
 - e. Despite implication of these sections, CEQA does not focus exclusively on physical changes, and is not exclusively physical in concern. For example, in Section 21083(c), CEQA requires an agency to determine if a project may have a significant effect on the environment if it will cause substantial adverse effects on human beings, either directly or indirectly.⁶
5. The EIR precludes determination of any social or economic impact since no capital, operating or maintenance cost data is provided to support the no impact conclusion..
6. Implementation of the proposed project will have a social and economic impact by resulting in an increased water supply needed for public health, safety, quality of life and economic development. Adverse social and economic impacts from Implementation of the proposed project will result in significantly higher water and wastewater rates needed cover increases in capital, operating and maintenance expenses. Increased water and wastewater rates have a social and economic impact on elderly persons on fixed or little incomes to become homeless, thereby, exacerbating the number of homeless persons, crime and vagrancy Implementation of the proposed project may increase health and safety risks due contamination of the water supply.
7. Implementation of the no project option will result in the continued water supply shortage
8. The City is proposing to implement the Ventura Water Supply Projects (proposed projects) to: protect the ecology of the Santa Clara River Estuary (SCRE); develop additional water supply sources to meet water demands for planned future growth; and enhance supply reliability even in drought years. The whole State Water Interconnect project and associated pipelines are required to: serve as an emergency backup in case of a failure in the Advanced Water Pure Facility; and enable delivery of water from East Ventura to West Ventura to allow in-lieu delivery of State Water to Casitas. Ventura Water would then not take water from Lake Casitas. "In-lieu

² Title 14. California Code of Regulations, Chapter 3 Guidelines for Implementation of the California Environmental Quality Act, Article 9 Contents of Environmental Impact Reports. Section 15120(a).

³ Title 14. California Code of Regulations, Chapter 3 Guidelines for Implementation of the California Environmental Quality Act, Article 9 Contents of Environmental Impact Reports. Section 15120(c).

⁴ Title 14. California Code of Regulations, Chapter 3 Guidelines for Implementation of the California Environmental Quality Act, Article 9 Contents of Environmental Impact Reports. Section 15131(b).

⁵ Title 14. California Code of Regulations, Chapter 3 Guidelines for Implementation of the California Environmental Quality Act, Article 9 Contents of Environmental Impact Reports. Section 15131(c).

⁶ Title 14. California Code of Regulations, Chapter 3 Guidelines for Implementation of the California Environmental Quality Act, Article 9 Contents of Environmental Impact Reports. Section 15131.

delivery means that the SWP would be delivered to a Ventura Water customer in the Casitas service area, rather than directly delivered to Casitas, and this would offset the Ventura Water demand on the Casitas system.”⁷ .

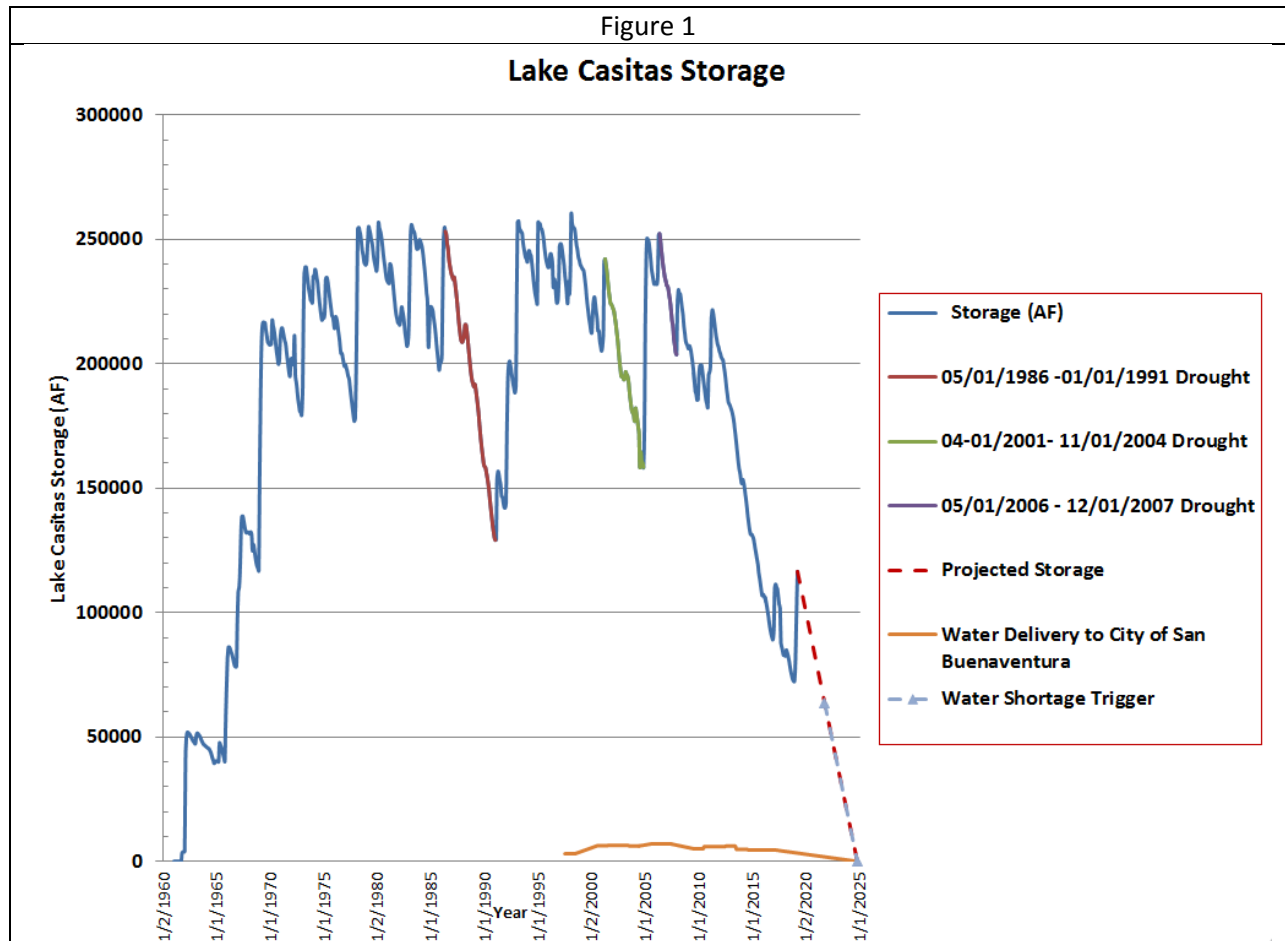
9. The proposed projects would be implemented in two phases. The first phase (Phase 1) would divert tertiary-treated water, which currently flows into the SCRE, to the VenturaWaterPure Project for additional treatment, protecting the ecology of the SCRE and to providing a new potable water supply. The second phase (Phase 2) would provide additional needed water supply if Phase 1 is insufficient to meet the needs of planned growth. Phase 1 is evaluated at a “project level” since its implementation would occur as the priority water supply project. Phase 2 would only be implemented if the amount of recycled water available is less than future potable demands. If Phase 2 is needed to meet future water demands, then additional project-level CEQA review would be required to evaluate its implementation.

⁷Notice of Availability, State Water Interconnection (SCH No. 2018031010) Draft Environmental Impact Report dated February 19, 2019

10. A List of the fifteen Capital Improvement Projects associated with the implementation of Ventura Water Supply Projects is presented for information and included as Table 1. The cost of the projects is estimated to exceed \$512M.

Table 1 List of Capital Improvement Projects Associated with Implementation of Ventura Water Supply Projects		
Project	Title	Cost Listed on 2018-2024 CIP Project Description
73092	Waterline Replacement – Main St./Telephone Rd.	\$8,900,000
97949	Waterline – State Water Interconnection	\$22,900,000
97955	Waterline – Midtown to Westside	\$13,340,000
97956	Waterline – Eastside to Midtown	\$5,700,000
73102	Treatment – State Water Blending Station	\$3,990,000
73111	Pump Station 210/260 Boundary Adjustment	\$1,500,000
73061	Water Treatment – Saticoy Facility Upgrade	\$14,000,000
	State Water Connection and Distribution System	\$70,330,000
96935	Advanced Treatment Plant Land Acquisition	\$5,150,000
97934	Mound Basin Aquifer Storage	\$24,000,000
96940	Recycled Water Line - Purewater Pipelines	\$16,500,000
96938	Brine Line Ocean Outfall	\$37,000,000
96945	Advanced Treatment Potable Reuse	\$77,700,000
73078	Bailey Plant Modifications	\$5,960,000
96939	Wetlands Improvements	\$10,640,000
	Total Advanced Treatment Potable Reuse	\$242,840,000
73083	Advanced Treatment Plant - Desalination	\$120,000,000
	Total Advanced Treatment Plant - Desalination	\$120,000,000
	Total Project Cost	\$362,840,000
	Estimated Financing Cost of \$195,987,500 for 30 years at 4.5% Interest	\$149,502,255
	Total Cost	\$512,342,255

11. The amount of water currently stored in Lake Casitas is estimated to be 116,550 acre-feet based on a surface elevation of 504.09 feet above sea level. The current depletion rate is estimated to be 20,857 acre-feet per year. Lake Casitas is forecast to be at 25% capacity by 10/02/2021 and empty by 10/02/2024 based on the current depletion rate. Implementation of the State Water Interconnection Pipeline which allows in-lieu annual delivery of an estimated 2,366 acre-feet of water is calculated to extend the life of Lake Casitas by 8.6 months. A history of Lake Casitas Storage is shown in Figure 1.



12. AWPf design requirements used for preparation of the subject EIR are outdated and understated. Phase 3 VWRf Discharge Scenarios are based on a current discharge of 4.7 MGD diverted which appears to be 60% of the Maximum Annual Average Flow of 7.76 MGD Historical Monthly Transfer Station Flow Values. It is rumored that the SWRCB may require 90% of the flow from the VWRf to be diverted, thereby, making the design requirements used for development of the current EIR outdated. Phase 3 VWRf Discharge Scenarios contained in the subject EIR is contained in Table 2.

Table 2

TABLE 1-2
PHASE 3 VWRP DISCHARGE SCENARIOS

Discharge Scenario	Percent of current discharge (4.7 MGD) diverted	VWRP discharge to SCRE		VWRP flow diverted to other uses	
		MGD	AFY	MGD	AFY
1	0%	4.7	5,263	0	0
2	10%	4.2	4,705	0.5	558
3	20%	3.7	4,143	0.9	1,007
4	30%	3.3	3,697	1.4	1,569
5	40%	2.8	3,135	1.9	1,128
6	50%	2.3	2,577	2.3	2,577
7	60%	1.9	1,128	2.8	3,135
8	70%	1.4	1,569	3.3	3,697
9	80%	0.9	1,007	3.7	4,143
10	90%	0.5	558	4.2	4,705
11	100%	0	0	4.7	5,263

SOURCE: Stillwater Sciences 2018

13. The Summary of Ventura Water Supplies presents an optimistic unrealistic picture of reality. Normal year supplies do not reflect reductions in water supplies as a result of current legal challenges, climatic changes or planned capital water projects. Estimated 2030 supplies are based on the unrealistic assumption that water supplies will return to normal conditions by 2025 and 2030⁸. Additional water from the future Advanced Water Purification Facility is not identified. Curtailment of delivery of water from Casitas Municipal Water District with in-lieu delivery of water from the State Water interconnection is not identified. The projected loss of water supply due to Lake Casitas becoming dry by 10/02/2024 based on the current depletion rate is not considered. The additional 2,500 acre-feet of water from the Ventura River/Foster Park is based on increasing the surface diversion capability of the Ventura River which was destroyed in 2005 due to shifting for the course of the Ventura River. Future delivery of State Water is not identified. A Summary of Ventura Water Supplies contained in the subject EIR

**TABLE 1-3
SUMMARY OF VENTURA WATER SUPPLIES**

Water Supply Source	Normal Year (AFY) ⁽⁸⁾	Dry Year (AFY) ⁽⁹⁾	Estimated 2030 Supplies ⁽⁹⁾
Casitas Municipal Water District	5,340 ⁽¹⁾	3,204 ⁽⁴⁾	5,841
Ventura River/Foster Park	4,200	2,384 ⁽⁵⁾	3,647–6,700
Mound Groundwater Basin	4,000	2,130 ⁽⁶⁾	4,000
Oxnard Plain Groundwater Basin	4,100	3,862	3,862
Santa Paula Groundwater Basin	3,000 ⁽²⁾	3,000	1,141–3,000 ⁽⁷⁾
City-Acquired Water Rights in 2016 (Santa Paula Basin)	40.9 ⁽³⁾	40.9	40.9
Recycled Water	700	700	865
TOTAL	21,381	15,321	21,778–28,207

(1) The estimated 5-year average normal water supply from Casitas is 5,062 AFY. Adding in development under construction (estimated to be 278 AFY) brings the total normal year supply to 5,340 AFY.

(2) Includes 3,000 AF of original City allocation

(3) 5.8 AF of water rights acquired for the past development of Tract 4632. 12.0 AF of water rights acquired for the development of Phase 1 of Tract 5632 in 2016 and 23.1 AF of water rights acquired for the development of Tract 5774 in 2016.

(4) 40 percent drought impact based on 2017 agreement with Casitas.

(5) 5-year production average from 2013-2017.

(6) Three-year average production (2015-2017).

(7) The Santa Paula Basin Judgment allows the City to utilize on average 3,000 AF annually. Assumes the worst-case scenario that the basin is determined to be in a Stage 2 overdraft per the Court's Stipulated Judgment and the City is reduced to an allocation of 1,141 AFY during drought conditions.

(8) Table 4-1 of the 2018 Comprehensive Water Resources Report, City of Ventura

(9) Table 4-3 of the 2018 Comprehensive Water Resources Report, City of Ventura

SOURCES: 2018 Comprehensive Water Resources Report, City of Ventura; UWMP 2016

⁸ Draft 2019 Comprehensive Water Resources Report dated 03/21/2019, p 4-13.

14. What is the assurance that the design and construction of the project as proposed will be able to meet the yet to be defined final performance criteria:
- a. "Unlike groundwater replenishment projects and a long history in California, the development of surface water augmentation projects is in its infancy."⁹
 - b. The State Water Board found that: Knowledge gaps and key research recommendations must be addressed before uniform water recycling criteria for DPR can be adopted; Developing DPR criteria will require a deliberate and phased approach to ensure public health protection and continued consumer confidence in the public water supply; and, Significant work is needed to address recommendations regarding the non-treatment barriers that are part of ensuring the safety of DPR, including source control, wastewater treatment plant optimization, operator certification, and technical, managerial and financial capacity.¹⁰
 - c. In the report to the Legislature, the State Water Board determined that the research recommended by the SB 918 Expert Panel should be conducted concurrently with the development of the DPR criteria. The research projects are expected to be completed in the 2020-2021 time frame. The five research projects are summarized as follows¹¹:
 1. Implement a probabilistic method to confirm the necessary removal values for pathogens, and apply this method to evaluate the performance and reliability of DPR treatment trains;
 2. Monitor pathogens in raw wastewater to develop better empirical data on concentrations and variability;
 3. Investigate the feasibility of collecting raw wastewater pathogen concentration data associated with community outbreaks of disease;
 4. Identify suitable options for final treatment processes that can provide some averaging with respect to potential chemical peaks, particularly for chemicals that have the potential to persist through advanced water treatment; and
 5. Develop more comprehensive analytical methods to identify unknown contaminants, particularly low molecular weight compounds potentially in wastewater that may not be removed by advanced treatment and is not presently detectable by current regulatory monitoring approaches.
15. The Council has established that "there is a direct nexus between the availability of water supply and the immediate preservation of the public health and safety"; and, resolved that "the ordinary demands and requirements of the water consumers served by the City of San Buenaventura cannot be met by the water supplies now available to the City without depleting the water supply or diminishing its quality to the extent that there would be insufficient water for human consumption".¹²
16. For additional information, please contact Daniel Cormode by telephone at (805)647-4063 or by email at dcormode@sbcglobal.net.

⁹ A PROPOSED FRAMEWORK FOR REGULATING DIRECT POTABLE REUSE IN CALIFORNIA, State Water Resources Control Board, April 2018.

¹⁰ Investigation on the Feasibility of Developing Uniform Water Recycling Criteria for Direct Potable Reuse, State Water Board, December 2016.

¹¹ A PROPOSED FRAMEWORK FOR REGULATING DIRECT POTABLE REUSE IN CALIFORNIA, State Water Resources Control Board, April 2018.

¹² San Buenaventura City Council Resolution No. 2014-057 dated 09/22/2014