



May 17, 2018

Rob Livick, P.E.  
Public Works Director  
City of Morro Bay  
955 Shasta Avenue  
Morro Bay, CA 93442

**Comments on Morro Bay Water Reclamation Facility DEIR**

Dear Mr. Livick,

Please consider this letter as comment to the Morro Bay Water Reclamation Facility Draft Environmental Impact Report.

**1. DEIR does not adequately address the potentially significant downstream impacts from spills or natural disasters to protect the Morro Bay estuary and adjacent wetlands.**

- a. The description of impact 3.9-2 (page 3.9-31) describes the potential of surface water or groundwater quality impacts in the event of a pipeline rupture or accidental spill at the WRF as less than significant. This determination does not adequately weigh the value of the Morro Bay estuary as a nationally designated waterbody through the National Estuary Program, home to two state marine protected areas, and a designated Important Bird Area. These designations indicate the high value of the habitat and resources in the bay, which make a potential sewage spill a significant event. Limited circulation in the back part of the bay means that any sewage making its way down stream could take weeks to flush out, causing significant harm (based on previous circulation studies by our program and others). Previous spills at the California Men's Colony treatment plant have resulted in elevated nutrient, chlorine, and bacteria levels in Chorro Creek. Although the proposed project will not release treated effluent to Chorro Creek or its tributaries, a major spill event could have similar impacts in the bay itself. The estuary not only supports sensitive wildlife but also two commercial oyster farms, an active commercial fishing harbor, and many recreation-focused businesses. A spill event could have human health effects as well as economic impacts. Morro Bay National Estuary Program views potential spill events as a significant impact that should be mitigated by project design or location. The DEIR should specifically explain how spills will be contained and what backstop measures will be put in place. The current description only vaguely states that spills will be contained on-site.

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b. The determination for impact 3.9-2 (3.9-31) assumes that other regulatory requirements will ensure that the project activities will have a less than significant impact. These other regulatory requirements include NPDES permitting, completed SWPPP, and State General Waste Discharge Requirements. However, these other permit requirements and plans are not available to the public to review and provide comment. Therefore, it is difficult to determine if they will be sufficient to make this impact less than significant. The EIR should specify actions, performance criteria or standards that will be accomplished by these other regulatory requirements. This remains a potentially significant impact and mitigations to avoid spills contaminating the wetlands and estuary (especially the back bay) should be specified.

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**2. The proposed site introduces a new industrial use into an open space area that is zoned as agricultural. The DEIR does not fully address mitigation for this impact.**

a. The WRF will introduce a quasi-industrial (albeit public) use to agriculturally designated open space, potentially opening the door for other developments/land uses, public or otherwise. This is a potentially significant impact not fully addressed by the growth inducement section (5.6.2) or land use planning section (impact 3.10). Furthermore, the Estuary Program obtained and monitors a conservation easement on the parcel immediately adjacent to the proposed site; the purpose of the conservation easement is to protect the wetlands and estuary from impacts from future development in the lower watershed. A mitigation measure requiring the remainder of the proposed project site be retained in a conservation easement (or other permanent, protected status) should be added to help mitigate this potentially significant impact.

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**3. Project may result in increased groundwater resources for the city of Morro Bay but does not provide for mitigating the impacts of existing groundwater wells in the Chorro Creek area.**

a. The DEIR states in Section 5.5 that the recycled groundwater component of the project will allow the city to reduce reliability on State Water Project (SWP) allocation and improve reliability of its water supply. This argument is used to state that the project will not increase the projected water supply for the City in the future. Since the DEIR does not state a future plan to reduce use of the Chorro Valley wells, the project may very well increase water supply if those wells are used to the full capacity of their permit and SWP allocation remains similar to current conditions. The DEIR should more adequately address the possibility of increased water supply and under what conditions that might happen.

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b. The Chorro Valley wells are sometimes used by the city during the dry season and can impact streamflow in Chorro Creek. The city's groundwater permit for the use of these wells limits their use to times when there is at least 1.4 cubic feet per second of flow in the creek. This permit condition is sometimes difficult to meet, given that

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the city needs these wells when other sources (like SWP) are not available. In previous years, SWP water has been off-line for maintenance in the fall. Unfortunately, fall is also a time of low flows in the creek. As the proposed project creates improved water supply via recycled water, the increased supply should be used to reduce the use of the Chorro Valley wells, thus maintaining surface flows and reducing impacts to steelhead and other sensitive species.

**4. DEIR states alignment with the Comprehensive Conservation and Management Plan for the Morro Bay Estuary and this needs to be corrected.**

- a. The Comprehensive Conservation and Management Plan for the Morro Bay Estuary (CCMP) is assessed as part of the Land Use and Planning section 3.10 on the top of page 3.10-15. The DEIR states "No Conflict. The Comprehensive Conservation and Management Plan for Morro Bay, BMP-12, supports the increase in treatment levels and the upgrades for recycled water distribution both of which the proposed project incorporates..." BMP-12 from the CCMP was written in 2012, prior to the consideration of the proposed WRF site. When written, the wastewater treatment plant was located outside the Morro Bay watershed. BMP-12 was not intended to support a site within the watershed. BMP-12 also specifically states, "If the plant upgrade incorporates recycled water distribution, the estuary may benefit by a reduction in the use of wells adjacent to Chorro Creek." However, the DEIR frames the recycled water component of the project as a potential to reduce the city's reliance on the State Water Project allocation and does not reflect any intention to reduce use of the Chorro Valley city wells, adjacent to Chorro Creek. (See the last paragraph of Section 5.5, pages 5-6 and 5-7.) Therefore, the Estuary Program does not agree that BMP-12 presents no conflict to the proposed project. Instead, BMP-12 supports the general idea of increased treatment and reduced use of the Chorro Valley city wells. **The DEIR should state that the CCMP (BMP-12) supports increased treatment at the current wastewater treatment site and reduced use of the Chorro Valley city wells and makes no statement of support of a new site.**
- b. Chapter 3.4 (Page 3.4-34) describes components of the CCMP without providing a direct reference to the document. The CCMP should be directly referenced, as other resources in this section are referenced to source materials.

**5. DEIR should provide specific actions, performance criteria, or standards when describing mitigation of water quality impacts.**

- a. The description of impact 3.9-4 (page 3.9-37) describes the potential of erosion, siltation, and flooding due to changes in topography and drainage patterns. The impact determination is based on other regulatory requirements, as stated previously for impact 3.9-2. It is difficult to determine if they will be sufficient to make this impact less than significant. The EIR should specify actions, performance





criteria or standards that will be accomplished by these other regulatory requirements.

- b. The description of impact 3.9-5 (page 3.9-39) describes the potential for increased stormwater runoff due to increased pervious surfaces at the proposed site. The impact determination is based on other regulatory requirements, as stated previously for impacts 3.9-2 and 3.9-4. It is difficult to determine if they will be sufficient to make this impact less than significant. The EIR should specify actions, performance criteria or standards that will be accomplished by these other regulatory requirements.

**6. DEIR should include in the biological resources impact discussion the need for keeping planned technologies up to date.**

- a. Impacts 3.4-2 (page 3.4-44), 3.4-3 (page 3.4-46), 3.4-4 (page 3.4-49), and 3.4-5 (page 3.4-50), rely on the use of trenchless construction as essential to reducing impacts. Trenchless construction methods have been advancing rapidly over the past few years and the Estuary Program encourages the city to continue to assess these mitigation measures and the planned technology to ensure that the most reliable and least impactful method that is feasible for the project can be employed. Continual assessment of planned technology for trenchless construction and other methods relevant to this section should be included in the impacts discussions as a component of best practices.

**7. DEIR should more fully describe specific technologies in a manner that can be assessed for impacts.**

- a. Section 3.8 briefly explains Clean in Place technology on page 3.8-15 but provides no detail. Impact 3.8-1 describes the routine use of hazardous materials for operation of the proposed WRF. However, the lack of detail about the Clean in Place technology makes it difficult to assess whether this impact is less than significant. The DEIR should provide a fuller description of how Clean in Place technology will operate at the facility.

**8. Geology mitigation measures should consider future climate conditions and cumulative impacts.**

- a. Geotechnical investigation described in mitigation measure GEO-1 (page 3.6-16) should consider the cumulative impacts of geologic activity and climate/weather events such as wildfire and intense storms. Structural mitigation should be able to withstand multiple events at once, as experienced recently in Santa Barbara County.
- b. Mitigation measure GEO-2 (page 3.6-18) should include restoring vegetated areas with native plants to improve erosion control and minimize risk of environmental





impacts from non-native species, such as spreading outside the project area and competing with native species.

- c. The DEIR states that mitigation measure GEO-2 (page 3.6-18) would address erosion impacts because existing regulatory requirements demand features that minimize erosion. This mitigation measure and other regulatory requirements should be implemented under considerations of precipitation patterns that are expected to occur over the life of the plant – increased storminess, more intense rain events happening less often, and other predicted changes to our region’s climate.



**9. The DEIR should include one or more alternative site(s) outside the Morro Bay estuary watershed, given the significance of this resource and potential impacts.**

- a. The DEIR states in Chapter 6 (Alternatives Analysis) that previous work to assess 17 sites for the WRF was sufficient to determine that only the proposed site is feasible. However, the previous site assessments did not necessarily consider the differences in environmental impacts between sites. Given the potential for impacts to cultural and environmental resources, the DEIR should examine another site more fully. The Morro Bay watershed and estuary has special designation through the EPA’s National Estuary Program. The bay is also an Audubon Important Bird Area and home to two state Marine Protected Areas. These special designations serve to protect the wildlife, habitats, and beneficial uses of the bay. Taken together, the bay’s special status highlights its importance to our community and nation. Given the importance and sensitivity of the Morro Bay estuary, a site outside the watershed may be an environmentally superior alternative and should be included in the alternatives assessment.

Thank you.

Sincerely,

A handwritten signature in blue ink, appearing to read "Lexie Bell".

Lexie Bell  
*Executive Director*