

From the Working Desk of Bert E. Perello

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August 10, 2018

Los Angeles Regional Water Board Members
C/O Rosario Aston, LARWQB Staff Representative
Los Angeles Regional Water Quality Control Board
320 West 4th Street, Suite 200
Los Angeles, CA 90013

Via E-Mail: rosario.aston@waterboards.ca.gov

Attention: Madelyn Glickfeld, Chair
Lawrence Yee, Vice- Chair
Irma Munoz, Member
Charles Stringer, Member
Cynthia Guzman, Member

and: Cassandra D. Owens, LARWQB Chief, Industrial Permitting Unit

Regarding: Notice to Thomas DiCiolli, Plant Manager Dated June 28, 2018
Mandalay Generating Station Tentative Termination of WDRs etc., Oxnard CA
California South LP Mandalay
NPDES No. CA00001180 / CI No. 2093

Dear Honorable LARWQCB Members:

I am writing this letter as current member of the Oxnard City Council, as well as one of two Members of the Oxnard City Council that serve on the City's Channel Islands Harbor Task Force.

And I also happen to reside within the boundaries of Councilmatic District No. 1, which will become effective upon the conclusion of the upcoming November 6, 2018 General Election. Councilmatic District No. 1 includes the Channel Islands Harbor Waterways communities of interest, and is the westernmost councilmatic district in the City of Oxnard.

My overarching public policy concern and focus on the Oxnard City Council has been and continues to be the preservation, protection, and defense of the public health, safety and welfare of ALL of residents of residents of the City of Oxnard, including those who reside in District 1.

I fully endorse and support the critical public policy arguments and requests for proactive, positive, and purposeful action by the Los Angeles Regional Water Quality Control Board in this matter that are contained in the August 9, 2018 letter signed by Mayor Pro Tem Carmen Ramirez, on behalf of the City of Oxnard. However, I wish to make some additional points which I believe are worthy of thoughtful consideration and purposeful action by your Board.

Earlier this year, beginning in mid-June, an adverse environmental event occurred in the Channel Islands Harbor Waterways. Namely an unprecedented Algal Bloom appeared and substantially degraded the clarity, appearance, and generally good ambient water quality condition of the harbor waterways that was typically experienced before this event.

Rightly so, numerous Channel Islands Harbor Waterway residents were greatly alarmed, and contacted the City of Oxnard reporting unusual algae, murky water, and clear visibility depths diminishing to 3 feet or less, as opposed to the prior typical condition of being able to see the bottom of the channel at over 10 feet deep.

On June 23rd, the Oxnard Public Works Department started testing water quality at 25 sites in the Channel Islands Harbor. And they reported that several of the sites showed dissolved oxygen (DO) **below** 5.0 through early July. *As your Board is well aware, DO levels below 5.0 ppm are considered hazardous to aquatic species.* Oxnard Public Works also tested 5 sites on June 28th for bacteriological contaminants and found that the results were within acceptable levels on that date.

Additionally, Aquatic Eco Technologies and Aquatic Bioassay Consulting, a firm retained by the City of Oxnard, reported that they had tested the water quality at 5 locations in the Channel Islands Harbor on June 19th, 21st and 22nd 2018 and reported that Total Nitrogen (TKN) and Ortho Phosphates **exceeded** levels "Of Concern". Typically, as your Board is well aware, these contaminants come from irrigation and storm water run-off.

During a well-attended, public meeting of the City's Channel Islands Harbor Task Force held on July 11, 2018, Aquatic Eco Technologies and Aquatic Bioassay Consulting stated that in their professional opinion, the unprecedented algal bloom experienced starting in mid-June *was the result of low dissolved oxygen, higher water temperatures, increased nutrients and reduced water circulation.*

Aquatic Eco Technologies and Aquatic Bioassay Consulting compared our situation with the massive Algae Blooms that killed over 175 tons of fish in King Harbor Redondo Beach in 2005 and 2011. **[Attached you will find a PDF of the Power Point Presentation delivered by Aquatic Eco Technologies and Aquatic Bioassay Consulting during that public meeting].**

With respect to the last point, reduced water circulation, as your Board is well aware, the NRG Mandalay Generating Station used cooling pumps that circulated 50 million gallons of seawater per day from the Channel Islands Harbor through the Edison Canal and out to the Pacific Ocean. A 2001 **Water Quality Study Report** by Moffatt and Nicolls Engineering predicted that water quality in the Channel Islands Harbor **would deteriorate** when the NRG pumps were scheduled to be shut down in 2020, in compliance with the Once-Through-Cooling requirements. They estimated the "residence time" would increase from 6 days to 17 days at Seabridge.

NRG's pumps were shut down in March 2018 and given the high pump flow rates and water volumes reported by NRG to the LARWQCB, it is clear to me that the cessation of that pumping has contributed substantially to the degraded water quality in the Channel Islands Harbor waterways.

Further empirical evidence of this rests in the data collected and published by the **Ventura County Resource Management Agency** (VCRMA.org) which routinely conducts weekly tests at 2 locations near the entrance of the Channel Islands Harbor (Hobie Beach and Kiddie Beach) and those areas have **exceeded California State safety standards for 20 days since the NRG pumps have been shut down.** The beaches were posted with signs warning people to avoid body contact due to health concerns.

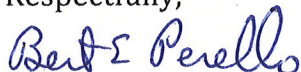
It is my understanding from examining the California Water Boards Website (www.waterboards.ca.gov/) that it is both the State and Regional Water Quality Control Boards mission to "*preserve, enhance, and restore the quality of California's water resources and drinking water for the protection of the environment, public health, and all beneficial uses, and to ensure proper water resource allocation and efficient use, for the benefit of present and future generations.*"

Given the testimony provided to you today, along with the content of the many letters you have received regarding this matter, including mine, the City of Oxnard's and from many Channel Islands Harbor Waterways residents deeply concerned about the public health, safety, quality and enjoyment of harbor waterways, *I strongly believe that your Board's approval of the Tentative Termination of NRG's WDR's that is before you today, would be contrary to your mission, contrary to sustainable resource best management practices, and contrary to your sustainable stewardship responsibilities for the beneficial use of the State's water resources for the benefit of present and future generations.*

On behalf of the residents of the Channel Islands Harbor Waterways, Councilmatic District 1, and indeed ALL the residents of the City of Oxnard, I respectfully ask the Los Angeles Regional Water Quality Control Board to reconsider this order, and require NRG to research and recommend a solution to re-establish the flow of water through the Edison Canal that will provide circulation that restores the water quality in Channel Islands Harbor to the levels prior to the shutdown.

Thank you for your consideration and your hoped-for positive action to continue to preserve, enhance, and restore the quality of water in the Channel Islands Harbor waterways.

Respectfully,



Bert E. Perello, Member
Oxnard City Council and
City of Oxnard Channel Islands Harbor Task Force

pc: Members of the Oxnard City Council
Members of the Ventura County Board of Supervisors
Members of the California State Legislative Delegation Representing Ventura County
Members of the California Federal Delegation Representing Ventura County
Alex Ngyuen, City Manager, City of Oxnard
Mike Powers, CEO, County of Ventura
Mark Sandoval, Director, Ventura County Harbor Department
Channel Islands Neighborhood Council
Members, Executive Board, Inter-neighborhood Council Organization