

TRT Comments on SRP Report on Phase III Report

**Scientific Review Panel's Report
on
City of Ventura Special Studies – Phase 3:
Assessment of the Physical and Biological
Conditions of the Santa Clara River Estuary,
Ventura County, California**

Comments Prepared and Submitted by:

Chris Hammersmark, cbec, inc. hydrologist and engineer
Mike Podlech, aquatic ecologist
Michael Josselyn, WRA, Inc. estuarine ecologist
Dan Chase, WRA, Inc. fisheries ecologist

A Technical Review Team Assembled by:

Wishtoyo Foundation, Ventura Coastkeeper, and Heal the Bay

June 26, 2018

The Technical Review Team (TRT) has reviewed the Scientific Review Panel's (SRP) report (final report dated June 26, 2018) of its analysis of the Santa Clara River Estuary (SCRE) Final Phase III report (dated February 2018), prepared by the City of Ventura and Stillwater Sciences. The SRP was convened as a component of the Consent Decree and Stipulated Dismissal [Consent Decree; case number CV 10-02072-GHK(PJWX)] and was charged with preparing the June 11, 2018 report to: 1) review the available scientific materials used in the City's technical analysis; 2) recommend an average annual volume or flow rate; and 3) recommend a Maximum Ecologically Protective Diversion Volume (MEPDV) for the Ventura Wastewater Reclamation Facility. The purpose of this letter is to provide comments and a position from the TRT following review of the SRP's final report.

Based on the review of the June SRP report, TRT believes there are substantial areas of agreement and consistency between the SRP and TRT analyses and determinations. Key areas of agreement include, but are not limited to, the significance of out of season breach events on protected and native fish species; the reliance of the tidewater goby population on the SCRE to complete all life history components, and the need to protect that ability; the necessity to focus on habitat quality over sheer quantity; and the need to replicate natural hydrology to the degree possible. Furthermore, the focus on starting from a point of zero discharge from VWRF (i.e. 100% discharge diversion) instead of the existing condition (i.e. 100% discharge and zero diversion) was the approach recommended and advocated for by the TRT (see December 8, 2017 comment letter). The SRP recommended MEPDV value is less than the TRT-diversion recommendation. TRT recommended Scenario 8 (1.4 MGD/70% reduction) or Scenario 9 (0.9 MGD/80% reduction) while SRP recommended Scenario 10 (0.5 MGD/90% reduction) to Scenario 11 (0 MGD/100%

reduction). Both SRP and TRT recommended seasonal variability for treated wastewater releases. This letter provides an explanation of the reasons for the difference in the two recommendations.

The TRT's involvement began with recommendations on the collection and analysis of the environmental data from the SCRE and subsequently the models developed by the City's consultant, Stillwater Sciences. The Analytic Hierarchy Process (AHP) was selected by the City to incorporate the data into a decision approach that evaluated all potential beneficial uses listed by the Regional Water Quality Control Board as appropriate to the SCRE. Using the various scenarios and the results of the AHP, we made our recommendations based on the lowest possible discharge that supported *all* beneficial uses. We recommended a lower MEPDV than Stillwater Sciences based on our concerns about the AHP's reliability.

The SRP focused their analysis on effects of the discharge on federal listed species under the Endangered Species Act: tidewater goby, steelhead, western snowy plover, and California least tern (also listed as a endangered by the state and a California Fully Protected Species). While the AHP also considered RARE species as the most significant factor, it only comprised 35% of the final score, whereas the SRP's approach would have given these species 100%. Other beneficial uses such as wetlands and estuarine habitat had opposite trends to that of rare species, with increasing water discharge being more beneficial. This tended to drive the habitat acreage benefits more to the middle score range (Figure 5-20). Such results are expected when evaluating effects on a wide range of beneficial uses that, in some cases, have conflicting requirements.

The TRT believes there are more commonalities than differences for the MEPDV level and the SRP's and TRT's assessment of what would be appropriate. While the SRP focused on a subset of the beneficial uses, the SRP makes a strong and compelling argument to focus on listed species. In that context, and recognizing that the RARE beneficial use is, by definition, the most important to preserve and enhance, the TRT supports the SRP recommendation to provide the best protection for these species. The TRT notes that other beneficial uses, such as wetlands, riparian vegetation, and open water habitat, that have evolved in response to the City's discharges may not be met to the full extent they are today. The TRT agrees with the SRP that the quality of the various habitats is more important than the quantity. It is likely that under reduced discharge, the wetland and riparian habitats will re-establish themselves at lower elevations and that problems that have been associated with higher discharge such as algal growth, hypoxia or low dissolved oxygen, and more favorable conditions for invasive species invasion may decrease. The TRT believes the SRP's recommended MEPDV and Continued Discharge Level would afford sufficient habitat area for the four endangered species and is expected to improve the quality of available habitat. The TRT also agrees with the need for ongoing and robust adaptive management for the SCRE as conditions change and knowledge gained through the monitoring process can allow for informed decision making under future conditions.