Santa Clara River Estuary Settlement
Commonly Asked Questions and Answers

1. **Why is this settlement only tentative?** Although Ventura Water, Heal the Bay and Wishtoyo Foundation's Ventura Coastkeeper Program have agreed on the terms of the settlement, the Ventura Council must approve the final agreement after a public process.

2. **How does this settlement protect water resources?** In several ways, for example, it will increase the amount of reclaimed water available for use at a time when water supplies are constrained and growing more limited. It moves the City to the forefront of statewide policy initiatives to improve and increase recycled water uses. And, at the same time, it protects and optimizes Ventura Water's discharge schedule to better support the sensitive environmental resources of the Santa Clara River Estuary.

3. **How much will this settlement cost Ventura Water customers?** The total costs of these projects are estimated at $55 million, which could possibly result in a cost $3.52 per month per average household until 2055. The exact cost is not certain because Ventura Water just began its cost of service and rate design study that will evaluate how to pay for this settlement. A nine-member citizen committee is being formed to be part of the cost of service and rate design study. In addition, staff will continue to look for grants and other funding sources over the term of this settlement. Of note, increased water reclamation should eventually bring revenue to the City, which may help offset the capital costs.

4. **Should tertiary treated wastewater continue to be released into the Santa Clara River Estuary?**

   What impacts will continuing to release tertiary treated wastewater to the Estuary have on its aquatic resources?

   What impacts will reducing the volume of tertiary treated wastewater to the Estuary have on its aquatic resources?

   At this time, all these questions are being studied and examined by Stillwater Sciences; scientists from UCLA, California State University Channel Islands, and southern California; and scientists from State and Federal Resources Agencies, including National Marine Fisheries Service, the U.S. Fish and Wildlife Service, the California Department of Fish and Game and the Regional Water Quality Control Board. Science is still providing answers and the parties, Resources Agencies and other stakeholders must continue to evaluate those scientific answers to determine the volume of treated wastewater that should be released into the Estuary and the way it should be released. At this point, while Ventura Water, Heal the Bay, and

Wishtoyo Foundation's Ventura Coastkeeper Program have differing opinions as to these answers based on the available science, these three parties have been able to agree that, at a minimum, the science indicates that a significant portion of the effluent may need to be removed from the Estuary, which makes it prudent to identify, evaluate, and ultimately implement a preferred diversion infrastructure alternative.

5. **If the science and Resources Agencies determine that a specified volume of tertiary treated wastewater should still be released into the Estuary, what additional assurances are there that the releases will protect the Estuary and its species?** At the most basic level, the settlement agreement establishes a process that should maximize the likelihood that all stakeholders have confidence in the scientific conclusions reached regarding the volume and method of continuing releases of tertiary treated water to, or diverting releases away from the Estuary.

   In addition, the agreement provides that the City will attempt to divert all treated wastewater that is not removed from the Estuary and reclaimed to a treatment wetland that, in combination with treatment unit processes, will be designed to further ensure that the wastewater discharge will not cause or contribute to a violation of any applicable receiving waterbody water quality objectives, impair any receiving waterbody beneficial uses, or contain nitrate in concentrations greater than 4.0 mg/L as a monthly average. Finally, regardless of the settlement agreement, the Resources Agencies charged with protecting the environmental resources of the Estuary retain all their jurisdiction and authority to oversee, review, permit and/or disallow releases of tertiary treated flows to the Estuary as they determine, based on the best available scientific evidence, to be appropriate for protection of its ecology.

6. **How much tertiary treated wastewater is currently released to the Estuary daily?** On a sunny day, 7 to 8 million gallons per day; and on a rainy day, 9 to 10 million gallons per day.

7. **How was the City harming the estuary with the releases?** State and federal laws recognize and protect estuary environments, which are extremely sensitive. The science is still not entirely clear in the case of the Santa Clara River Estuary, but, for example, tertiary treated discharges to the Estuary may be resulting in changes in estuary salinity, introduction of a new and emerging contaminants that are not yet well understood but may be dangerous to aquatic species, higher nutrient concentrations, and lower levels of dissolved oxygen and unwanted algae blooms, which, over time, might adversely affect the ecology of the Estuary. What remains to be scientifically determined is the degree to which water quality in the Estuary can be improved by adjusting the discharge regime without any unintended significant adverse impacts on the sensitive resources of the Estuary.

8. **Why should customers want to pay for this environmental improvement?** Not only does the City need to comply with State and Federal laws regulating releases of tertiary treated flows to the Estuary and protecting its complex ecosystem and sensitive environmental resources, including endangered and threatened species, but it is also in the community's and county's best interest to:

    - Protect its coastal resources like the Estuary, and the substantial number of sensitive shoreline and wetland invertebrate, fish, avian, and terrestrial species it supports, including the federally protected tidewater goby, Southern California Steelhead, and western snowy plover, and the state and federally protected California least Term; and
    - Begin making use of a water supply that is readily available instead of using drinking water for irrigation and other non-potable uses. Replacing reclaimed water for irrigation and other non-human digestion uses allows Ventura Water and other water providers to better manage the groundwater basins to insure a sustainable future for farmers, businesses, families and visitors.

9. **How soon will the environmental fee go into effect to pay for these changes?** The actual fee will be part of the cost of service and rate design study. The study will include a citizen advisory group that will evaluate where the revenue should come from to cover these costs. Once the study is complete it will be presented to City Council in February 2012 and then if the recommendations are accepted, any rate adjustments would be noticed to the community prior to City Council considering the rates for adoption. The earliest possible date for any rate to go into effect would be July 1, 2012.

10. **Why were environmental groups taking administrative and legal action regarding the City's wastewater discharge?** Heal the Bay, Wishtoyo Foundation, and Wishtoyo's Ventura Coastkeeper Program are concerned that the continued discharge of over 9 million gallons per day of treated wastewater to the Estuary is impacting water quality and aquatic habitat. They pursued administrative and legal recourse in order to improve aquatic habitat and move the City to increased water reclamation.