

# The Ventura Audubon Society, Inc.

P.O. Box 24196, Ventura, CA 93003 [www.venturaaudubon.org](http://www.venturaaudubon.org)

July 9, 2007

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CALIFORNIA REGIONAL WATER  
QUALITY CONTROL BOARD  
LOS ANGELES REGION

Blythe Ponak-Bacharowski  
Unit Chief, Municipal Permitting Unit (NPDES)  
California Regional Water Quality Control Board  
Los Angeles Region  
320 W. 4<sup>th</sup> St., Suite 200  
Los Angeles, CA 90013

Re: Ventura Water Reclamation Facility  
(Municipal) NPDES Permit

We are writing to oppose portions of the proposed NPDES permit. We primarily object to the requirement that the discharge to the Santa Clara River estuary be reduced annually until it is eliminated.

I have been monitoring Western Snowy Plovers and Least Terns for 11 years for the California Department of Fish and Game, the California Department of Parks and Recreation, the County of Ventura and the Ventura Port District. I am writing on behalf of the Ventura Audubon Society, of which I am a board member.

In a reading of your "Comprehensive Analysis of Enhancements and Impacts Associated with Discharge of Treated Effluent from then Ventura Water Reclamation Facility to the Santa Clara River Estuary" we find fault with the lack of information presented on the bird life that uses the estuary and the potential adverse impact of eliminating the discharge.

To eliminate the discharge would severely impact the bird life that depends on the estuary and the wildlife ponds on the current facility. To divert the treated water elsewhere would probably result in the elimination of the wildlife ponds and reduce the standing water in the estuary.

On Page 216 no mention is made of the support the discharge gives to species of special concern, specifically the California Least Tern, nor of the support it gives to migratory waterfowl. The current area of the estuary is approximately 10% of the surface water area present in the late 1800's. Surface waters are vitally important to the California Least Tern. Currently the 150 adult terns that nest at McGrath State Beach depend on the estuary and the wildlife ponds for foraging. (Pers. Obs.) This use of the wildlife ponds and the estuary can be

observed daily from mid-May until September. A study I participated in found that terns forage in areas that meet two criteria; calm water and water near the nest sites. The Santa Clara River Estuary and the wildlife ponds meet both these requirements. In 2004 Least Terns nesting at McGrath moved their chicks approximately ½ mile north along the beach to the south river edge after the chicks hatched so that the "haul distance" was reduced for adults bringing fish to feed the chicks during the 3 weeks between hatching and fledging. This year Least Terns nested on the beach right adjacent to the south bank of the river. Elimination of the wildlife ponds and reduction of the surface area of the estuary would mean that the nearest calm water would be Ventura Harbor and could result in reduced chick survival or abandonment of the area by Least Terns. These impacts were not considered in your "Comprehensive Analysis".

Currently the Santa Clara River Estuary is an important resting area for California Brown Pelicans. Daily, this summer, there have been over 500 pelicans utilizing the estuary and adjacent beach. No mention of the impacts on these birds was found in your "Comprehensive Analysis".

The Santa Clara River Estuary is an important wintering area on the Pacific Flyway for migratory shorebirds and waterfowl. Every year the Ventura Audubon Society conducts a Christmas Bird Count. The Santa Clara River Estuary and the Wildlife Ponds are counted as a separate sector. Over a 7 year period from 1997 to 2003 census takers found an average of ~100 species represented by an average of 4114 individual birds per count in this sector. Of that 79 species (~80%) represented by an average of 2564 birds per count (62%) were waterfowl and/or shorebirds that are dependent on the ponds and estuary for resting and food. These numbers are from an approximately 5 hour long survey taken on one day in late December or early January each year. During shorebird migration in August and September the number of shorebirds present can be in the 10,000+ range daily. During waterfowl migration in late November and early December several thousand ducks use the wildlife ponds and the estuary daily.

The wildlife ponds and enhanced surface waters of the estuary help offset the tremendous loss of habitat for these birds that resulted from development of the area and upstream diversion of surface waters.

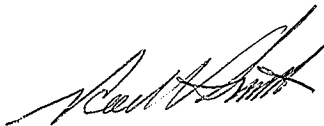
The elimination of the wildlife ponds and reduction of the discharge to the Santa Clara River Estuary would have a severe adverse impact on these migratory and wintering birds. No mention of these impacts was found in your "Comprehensive Analysis".

The "Comprehensive Analysis" discussed the possibility that discharging effluent to the Santa Clara River Estuary might mean the estuary bar goes out causing temporary drainage of the estuary. This could be a fortuitous event in August and September as the resultant mudflats would provide foraging habitat for the

thousands of migratory shorebirds that use the area as a stopover and their southward migration to wintering areas.

The "Comprehensive Analysis" did not find any significant degradation of the water quality or contamination of the estuary sediments caused by the discharge. The proposed elimination of the discharge to the estuary appears to be just following a policy and not designed to enhance the estuary. We are aware of the increased nutrient load that the discharge carries. No consideration was given to discharge upstream that would give time for bio-filtering and maintain the surface water availability for Least Terns and migratory waterfowl.

Thank you for the opportunity to comment on this change. Please include us on your mailing list on this permit. Please take into account the issues I have raised and modify the permit.

A handwritten signature in dark ink, appearing to read "Reed V. Smith", with a stylized, cursive script.

Reed V. Smith  
Science Chair  
Ventura Audubon Society