

April Jacobs

From: SCOPE <exec-scope@earthlink.net>
Sent: Tuesday, June 6, 2023 3:13 PM
To: April Jacobs
Subject: agenda 8.1
Attachments: Well S9 comments.pdf

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Please provide to all Board members.

Honorable Board members - When this project was presented last year, staff members publicly state that S9 would not be included. Now it is included in spite of objections from the CA FWS, a new executive order from the Governor recurring approval from the GSA and no army corps permit to do work in the river.

It has also come to our attention that you did not included or provide our comments to the board which were timely submitted.

We have attached them now and ask that you delay this approval until these issues can be considered and the necessary permit approvals obtained.

SCOPE
Santa Clarita Organization for Planning and the Environment
TO PROMOTE, PROTECT AND PRESERVE THE ENVIRONMENT, ECOLOGY
AND QUALITY OF LIFE IN THE SANTA CLARITA VALLEY
POST OFFICE BOX 1182, SANTA CLARITA, CA 91386
www.scope.org



12-19-22

Santa Clarita Water Agency
27234 Bouquet Canyon Road
Santa Clarita, CA 91350

Sent via email to swells@scvwa.org

Re: MND New Well S9 and Wellhead Treatment Facilities located adjacent to the Santa Clara River in the area of Bridgeport

Dear Sirs:

Santa Clarita Organization for Planning and the Environment is a local conservation and planning organization that has been active in the Santa Clarita Valley for 35 years. Our members live mainly in the watershed of the Santa Clara River and several of them live near the location for which this project is proposed and asked us to review it. We appreciate being informed by the community of projects which are of concern to them, but also wonder why we weren't noticed directly of this project by your agency. As you are well aware, we have been concerned for many years with water quality, sustainable pumping and sustainability of the Santa Clara River and its habitat. We commented on the GSP and many other projects related to your agency. Why were we not informed of the release of this MND? Please place us on the notification list for all future CEQA notices.

This document is deceptively titled "S Wells PFAS Groundwater Treatment and Disinfection Facility Project" excluding the important fact that it also includes the addition of a new drinking water well that will pump 1000 AF of water in an area adjacent to 3 other existing wells. The project description and project map all include the new well (well S9) installation, but the MND does not address any of the potential impacts from pumping an additional 1000 AF of water from this sensitive area, whether there will be interference between the new and existing wells and whether riparian habitat will be affected by this additional pumping. We're concerned that additional pumping may affect the ground water dependent vegetation in this area upon on which several listed species depend. Yet there is no analysis of the effects of this pumping on the area. In fact, the Biological Assessment states on page 1:

In addition, indirect impacts to special status wildlife species and sensitive plant communities could occur through the reactivated operation of existing Wells S6, S7, and S8 and operation of the new Well S9, which could lower localized groundwater levels and thereby reduce groundwater availability for potential groundwater dependent ecosystems along the Santa Clara River. Indirect impacts to jurisdictional waters and wetlands may also occur through processes such as increased turbidity, altered pH, and decreased dissolved oxygen levels.

The MND claims that this impact would be mitigated by BIO 1 and BIO 5. We would like you to explain how Bio 5 (surveys) would mitigate the die off of habitat. This is not a sufficient mitigation for this impact. Also, there is no discussion as to whether this pumping in conjunction with other new wells would affect downstream users. Please discuss the cumulative impact of the new E wells and Saugus wells that you plan to add.

This project is proposed is particularly environmentally sensitive reach of the Santa Clara River that is likely inhabited by Federal and state listed endangered species as noted in the 1998 Federal Natural River Management Plan (document included by reference and provided upon request). This Plan and EIR/EIS permitted several 404 projects along and in the floodplain of the Santa Clara River of which the berm for Bridgeport was one. However, the project you propose was not included in that permit. Therefore, we believe that you will need a federal 404 permit to construct this project.

This area is habitat for migratory birds such as the Southwestern flycatcher and Least's bell's Vireo, both found in areas immediately adjacent to this location and indicated as being present in surveys in the 1998 River Management Plan EIR/EIS. These migratory birds often nest in the habitat areas in or adjacent to the Santa Clara River. There may also be other endangered amphibians and reptiles such as the arroyo toad and legless lizard. Many raptors in the area are also protected under California law. We therefore do not believe that your agency can proceed with this project under a CEQA MND.

Inadequate Surveys

According to the MND, only two surveys were made one on February 23rd and another on August 30, 2022¹. But apparently no protocol surveys were conducted to provide information and disclosure for impacts to special status species with high potential to occur as listed in Appendix D of the Biological Assessment. Instead "Special Status Species Evaluation Tables"² in the appendices merely lists the potential for these species to exist on site. This is not acceptable. No mitigation is provided to ensure that surveys will be done other than 3 days before construction. That is not sufficient to avoid special status species.

Air Quality and Noise

We do not concur with your analysis of air quality and noise. This facility will be built near a school and a park, as well as a sensitive area of the river. How many trucks will be going in and out to maintain the facility. While noise studies were provided, they don't seem to indicate what the noise levels will be in the sensitive areas such as the park, the school, and next to residents' homes. An increase of 3 decibels is considered a significant impact. We believe that this project will exceed that amount and cannot be mitigated below that level. Therefore, noise and possible air pollution will be significant impacts.

No Alternatives Analysis

Currently, the MND provides no alternatives. We ask that that an alternatives analysis be provided in a new circulated document. The new document should include potential alternatives such as avoiding construction in nesting season, or locating the well head

¹ Appendix C to the Biological Resources section

² Appendix D to the Biological Resources section

treatment to a location further away from the river and piping to that facility (as has been a solution in other areas of your agency) be investigated and considered and extra noise walls. We believe there is a way to resolve these issues while still ensuring a healthy drinking water supply. Piping the water to a treatment facility away from the park, residents and the Santa Clara River would avoid numerous impacts and the need for further studies.

A MND is not the correct CEQA document for a sensitive area where endangered species are located. Please provide an EIR for this project that addresses the above concerns.

Sincerely,



Nate Bousfield
Board member

CC: US Army Corps of Engineers, Ventura Office

April Jacobs

From: Friends of the Santa Clara River <friendsofthesantaclarariver@earthlink.net>
Sent: Tuesday, June 6, 2023 3:43 PM
To: April Jacobs
Subject: Fw: Comment on MND s wells
Attachments: 2022.12-19 MND well9 signed.pdf

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Please copy to all Board members. It has come to our attention that our was not included in your evaluation of this project even though it was submitted in accordance with the MND instructions. Please consider it before you approve this project. We continue to oppose the siting of a new well in this sensitive are and believe that you have not conformed to the permits required for such an action.

-----Forwarded Message-----

From: Friends of the Santa Clara River <friendsofthesantaclarariver@earthlink.net>
Sent: Dec 19, 2022 2:39 PM
To: <swells@scvwa.org>
Subject: Comment on MND s wells

Attached



Friends of the Santa Clara River

PO Box 7713 Ventura, California 90006
fscr.org

(805) 320-2265

Board of Directors

James Danza
Chair
Barbara Wampole
Vice Chair
Diana Rodriguez
Secretary

12-19-22

Santa Clarita Water Agency
27234 Bouquet Canyon Road
Santa Clarita, CA 91350

Sent via email to swells@scvwa.org

Re: Mitigated Negative Declaration (MND) Wellhead Treatment
Facilities and new well S9

Dear Sirs:

We recently received notification of this proposal to add a new well that would pump up to 1000 AF from a concerned party. We were surprised not to receive notice from the agency since we were actively involved in the development of the Agency's Groundwater Sustainability Plan (GSP) and downstream GSPs. This failure to notify interested parties is not acceptable and inhibits our efforts to work together to ensure the sustainability of the Santa Clara River and protect its rare habitat and species, especially groundwater dependent ecosystem users and uses. The MND was not visibly posted on your website in a way that would make it easy to find. It almost appears that your agency did not wish anyone to know about this project. We therefore ask that the comment period be extended and all groups that commented on the GSP be notified of the intent to adopt an MND.

The reach of the Santa Clara River where this project is proposed is a particularly environmentally sensitive and it likely inhibited by federal and state listed endangered species including migratory birds such as the Southwestern flycatcher and Least's bell's Vireo, both found in areas immediately adjacent to this location. Migratory birds often nest in these riparian areas in or adjacent to the Santa Clara River. There may also be other endangered amphibians and reptiles such as the arroyo toad and legless lizard.

According to the MND, only two cursory surveys were conducted one on February 23rd and another on August 30, 2022. But apparently no protocol surveys were conducted to provide information and disclosure for impacts to these special status species, and no mitigation provided to ensure that surveys will be done.

Instead, a Compendium in the appendices merely lists the potential for these species to exist on site. This is not acceptable, nor does it adequately capture impacts and therefore mitigation. It is also unclear whether the California Department of Fish and Wildlife (CDFW) was notified about the project and given an opportunity to comment, or if a permit been granted by the United States Army Corps of Engineers to work in the river.

Of course, the Friends understand the need to provide safe drinking water by installing well head treatment on the existing S wells. But the high noise levels may impact nesting birds and other wildlife in this sensitive habitat area. While the MND suggests BIO – 5, surveys 3 days prior to beginning construct, to protect nesting birds, however the noise would prevent birds from nesting in the first place in one of the few remaining places they have to do this. We remind the Agency of the successful litigation in 2000 brought by the Friends of the Santa Clara River to prohibit the use of hazing machines by Newhall Land to stop bird nesting so they could proceed with their construction. Bio – 5 should be changed to read that construction will not occur in bird nesting season.

We believe there is a way to resolve these issues while still ensuring a healthy drinking water supply. We ask that a new document that includes potential alternatives such as extra noise walls, avoiding construction in nesting season, or locating the well head treatment to a location further away from the river and piping to that facility (as has been a solution in other areas of your agency) be investigated and considered. Currently, the MND provides no alternatives. We ask that an alternatives analysis be provided in a new circulated document, with adequate notification to partners and stakeholders.

This project will have extremely detrimental aesthetic and noise impacts to that area of the Santa Clara River and the surrounding community. A mitigated negative declaration is not the correct CEQA document for addressing these issues. A proper EIR analysis that provides alternatives, is required.

This document is titled “S Wells PFAS Groundwater Treatment and Disinfection Facility Project”. This title is deceptive in that the MND also includes the addition of a new drinking water well that will pump 1000 AF of water in an area adjacent to 3 other existing wells. It is not just for a treatment facility. The project description and project map all include a new well installation (well 9). The MND does not address any of the potential impacts from pumping an additional 1000 AF of water from this sensitive area. We’re concerned that additional pumping may affect the ground water dependent habitat in this area

upon which several listed species depend. Yet there is no analysis of the effects of this pumping on the area. Again, an MND is not the correct CEQA document for a sensitive area where endangered species are located. Please provide and re-circulate a corrected document.

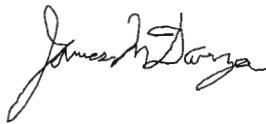
Additionally, this rule appears to try to evade the update by Department of Water Resources (DWR) in Bulletin 74 Well regulations that address drilling wells in polluted aquifers. The Division of Drinking water also has regulations governing new wells in polluted drinking water sources. Has the DWR and the Drinking Water Division been notified of this MND and did they have the opportunity to comment on it? Were they informed that it involved the drilling of a new well? We are concerned that the misleading title may have hidden your intention to drill a new well from them.

Please provide an adequate document that includes impacts by pumping from a proposed new well and a time extension for comment.

Sincerely,



Candice Meneghin, Board Member



Jim Danza, Chair

CC: Division of Drinking Water
CA Depart of Fish and Wildlife