



HEAL THE OCEAN

Get Involved!

NEWSLETTER

Spring 2007

GROUNDWATER TO THE OCEAN



HTO executive director Hillary Hauser and HTO policy analyst Priya Verma on-site with USGS scientists on the Santa Barbara waterfront.

It's been an exciting year of discovery by the U.S. Geological Survey (USGS), which has been poking holes into the shallow groundwater beneath the city of Santa

Barbara and around Mission Creek, to see what pollutants might be in the groundwater that flows into the ocean all year round, sight unseen.

The three-year investigation by the USGS in collaboration with the city of Santa Barbara, the University of California at Santa Barbara (UCSB) and Heal the Ocean – which since 1999 has been seeking ways to investigate the possibility of groundwater transport of human pollutants (septic and/or sewage waste) to the ocean.

HTO's offer of financial help for the project, to the city, helped launch the study, "Microbial Contamination of Urban Streams and Ocean Beaches (MCUSOB). To date, Heal the Ocean has been successful in raising \$60,000 in grants to contribute to the project. Our very big thanks go to an anonymous foundation as well as the Andrew H. Burnett Foundation for these funds, and additional big thanks to our grant writer Stephanie Jamgochian for writing the successful grants!

In addition, HTO has paid \$13,000 to the USC Laboratory of Dr. Jed Fuhrman for additional DNA/virus studies on USGS samplings, for a total contribution to the project of \$73,000.

A summary of USGS findings to date, and the focus of Year Three (2007) is as follows:

E. coli and enterococci have been found in shallow wells near the beach along Santa Barbara's waterfront, indicating groundwater could be transmitting fecal indicator bacteria (FIB) to recreational beaches.

FIB levels fluctuated with tides (bacterial levels were found to be higher during low tides), suggesting that groundwater may be pulled toward the ocean during the falling tidal stage. An additional sample collection will be done along the West Beach during a series of tidal cycles in spring 2007. Data collection will include: fecal indicator bacteria; molecular and genetic indicators of microbial community populations; wastewater indicator data; and physical, chemical, and isotopic measures of ocean/beach exchange similar to those collected during

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RINCON HEADS TO HOMEOWNER VOTE

On September 19, 2006, the Carpinteria Sanitary District approved the environmental documents supporting the "South Coast Beach Communities Septic to Sewer Project," a victorious forward move for a sewer project that will remove septic systems from not only Rincon, but Sandyland Cove, Sand Point Road and Padaro Lane, too.

CSD is now in the process of annexing the beach properties into its service area and has initiated the formation of a utility assessment district to provide long term financing of the sewer improvements for those who desire it. A homeowner vote on assessment district formation – which is a key milestone in project implementation – will occur this Spring. Funding to complete the final system design and actually build the required infrastructure should be available by July 2007. See page 14 in this newsletter for a reprint of the Rincon Timeline, which includes the next steps for the septic-to sewer project, as well as the steps that have been taken since this project started.

HTO has been working closely with CSD since 1998 to see the septic-to-sewer project through to completion, and this nine-year process has gone through some rough waves, with wipeouts included. But we are still on our feet, and preparing for the best environmental victory ride ever!

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HI FROM HILLARY



Photo: Guillaume Doane

What a year this has been!

The contentious years-long fight over the CEQA (environmental review process) for the "South Coast Beach Communities Septic to Sewer

Project," including Rincon, is over. As you read this newsletter, this project, which will remove septic systems from seven miles of beaches on the Santa Barbara south coast, is moving toward homeowner vote, sometime during the spring, 2007.

Heal the Ocean has also successfully wrapped up a six-years-long negotiation with the county of Santa Barbara for the use of \$2 million in state funds, brought in by former assemblywoman Hannah-Beth Jackson for septic-to-sewer projects elsewhere in the county. We had been working closely with county Environmental Health Services to get a list of projects we could both agree on, and we arrived at a good list in November. The county Board of Supervisors approved this list in December, 2006.

With this money, sewer engineering studies will be performed for other septic system problem areas on the south coast.

With the Rincon project on its way, and other septic cluster areas getting state money for engineering studies, we can call this a stupendous victory for clean water on the Santa Barbara south coast.

While we work with sanitary districts to get septic systems out of improper areas, we work to help them be more proactive about going after state grants – and to raise rates to get the money needed for upgrade of their own infrastructure. It is important for the public to know that sanitary districts are the most important environmental tool society has, yet waste handling fees are a fraction of other utilities.

We are glad to note that some sanitary districts are taking a more proactive role in improving their infrastructure. The city of Santa Barbara

funded a U.S. Geological Survey of groundwater along the waterfront of Santa Barbara, and although the definitive link was not found between sewer pipe and tainted water in a groundwater well at Skater's Park, the city is proceeding with steps to re-sleeve the sewer main along the Cabrillo Blvd. waterfront.

And although a definitive link has not been made between their shallow ocean outfalls and beach closures, the Carpinteria Sanitary District and the Montecito Sanitary District are now entering discussions with Heal the Ocean for a joint scoping of a comprehensive ocean-plume study of their sewer outfalls.

"...a stupendous victory for clean water on the Santa Barbara south coast."

As Heal the Ocean continues to grow in membership, our sphere of influence for the good of the ocean continues to grow, too. We are not only working hand-in-hand with local officials, but with state officials, to pull in funds for continued work to improve waste-handling in Santa Barbara county. At Heal the Ocean, we believe this is the key to cleaning up large potential sources of ocean pollution, and we are doing this work while also focusing on storm water pollution, abandoned landfills sitting in groundwater, and other sources of the ocean's ills.

How Heal the Ocean does business is being watched by other cities, other counties, even other countries. We continue to grow by leaps and bounds, with victory after victory.

There is no way we could be doing this work without you, our loyal supporters, and once again we want to express to you our deep gratitude for making this work possible.

Thank you for helping.

Executive Director, Heal the Ocean



HEAL THE OCEAN SPRING 2006

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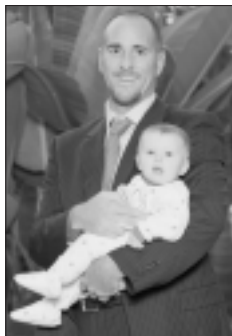
AROUND THE OFFICE...

MARCO GONZALEZ

Heal the Ocean is grateful to have wonderful, high-quality legal help from our attorney, Marco Gonzalez, of Coast Law Group, LLP, Encinitas, California in all of our matters requiring the perspective of environmental law. He has not only negotiated many varied aspects of the Rincon portion of the “South Coast Beach Communities Septic to Sewer Project” for us, but he has tracked the Goleta Sanitary District upgrade, and guides us in our battle to get decent storm water permits passed for Santa Barbara County and all the cities within Santa Barbara County, and advises us on CEQA law for other Santa Barbara pollution problems we look into.

Heal the Ocean is also proud to note Marco’s accomplishments beside our own! He has worked on significant issues in the San Diego area, achieving the following victories:

- More than 80% reduction in sewer spills in the City of San Diego
- Seawall construction moratorium in the City of Solana Beach
- Helped to secure passage of the San Diego region municipal storm water permit, one of the strongest in the U.S.



Marco Gonzalez and his daughter, Sofia

Marco is currently working on elimination of the San Diego 301(h) sewage waiver, and is also working on achieving secondary sewage treatment levels for Mexican wastewater near the U.S./Mexico border at Tijuana.

He is working on increased water recycling in San Diego, protecting Areas of Special Biological Significance (ASBS), and fighting proposed desalination facilities. Further, with Coast Law Group expanding its staff and field of influential environmental work, Marco is now working on stopping a plan for monstrous development of Turtle Bay, on the North Shore of Oahu. We are grateful Marco is on our team! ☀️

RUSTON AND AVA

Heal the Ocean thanks Ruston Slager and Ava Everett for always being on deck for all of our public functions, setting up our tables and booths, selling HTO tee-shirts, spreading the word of what we do. We couldn’t do it without them! ☀️

JAN CAMPBELL

Heal the Ocean is proud to have Jan Campbell on board as administrative manager of our office. Jan, a graduate of UCSB and a Santa Barbara resident since 1984, joined Heal the Ocean in July, 2006 – just in time to take on the humongous responsibilities of the office end of our Annual Benefit Concert at QAD!

Jan has experience in accounting, marketing, publishing and fundraising, and has worked for a number of local companies such as the Bartlett, Pringle & Wolf, CPAs, The Santa Barbara Independent, and Capital Financial. She has also worked for non-profit organizations, including the Page Youth Center.



Jan Campbell

She lives with her husband Randy and their two teenage daughters, Nora and Emma. When not at Heal the Ocean, Jan is golfing, reading, doing yoga or watching her children play sports. Her favorite saying is, “The key to a happy life is learning to live in chaos.” We’re glad she feels this way, because chaos is often what we have going in our office with all the work we are able to accomplish with a small staff! ☀️

PRIYA VERMA

Between her busy schedule as a PhD student at the Bren School at UCSB, Priya Verma works at Heal the Ocean on every one of our issues. She is tackling volumes of storm water management plans, not only for Santa Barbara county but for all the cities in the county, communicating with city managers as for the realities they face in dealing with their storm water pollution problems. She is also communicating with the managers of all wastewater facilities that discharge into the Pacific Ocean off California, to ascertain exactly what is going into the ocean, and updating HTO’s California wastewater inventory (see elsewhere in this newsletter).



Priya Verma

Priya is also working on uncovering the problems of abandoned dumps both in the city and the county of Santa Barbara – including the unlined landfills along Santa Barbara’s waterfront (Cabrillo Blvd.), in the Las Positas watershed (suspected of polluting shallow groundwater wells in the area), and two unlined dumps in Carpinteria – one under the state park and the other on the beach. All of these abandoned dumps are sitting in groundwater.

Taking time off from this grueling schedule, Priya went to India in December with her family, and while in India she could not help but think of the wastewater infrastructure and water pollution problems not only in India, but throughout the world. Her dissertation work at the Bren School is focused on evaluating the science/policy interface, and the use of science in making environmental management decisions. ☀️

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Priya Verma

HEAL THE OCEAN

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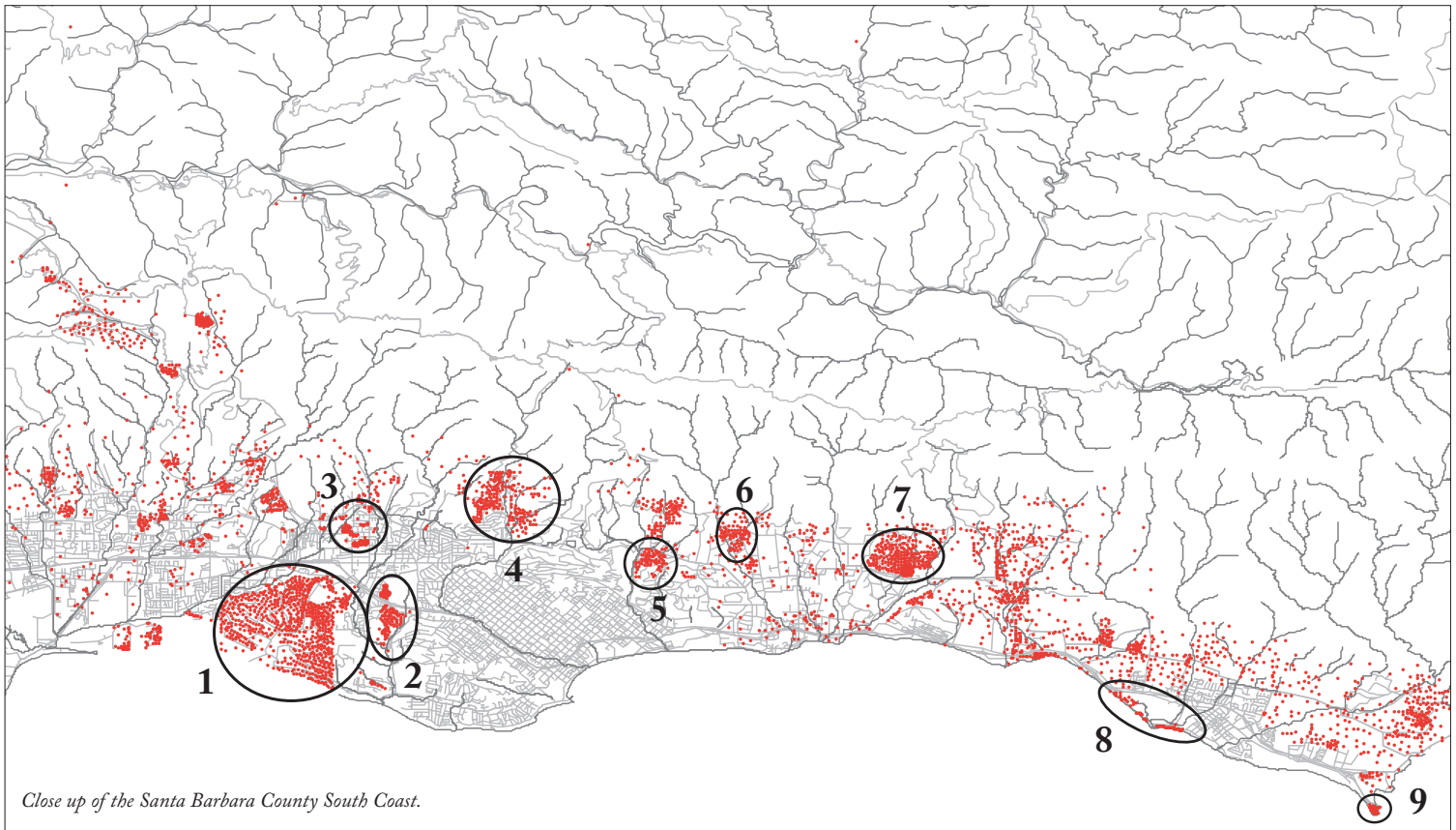
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HEAL THE OCEAN LEADS CHARGE AGAINST SEPTIC POLLUTION



Close up of the Santa Barbara County South Coast.

This septic map was created by HTO Board member John Robinson in 1999 with the idea that if the septic "clusters" in Santa Barbara County could be tackled, we'd be rid of much of the pollution problems they might cause. This is the first map of septic systems ever created of Santa Barbara County septic systems.

When former assemblywoman Hannah-Beth Jackson brought into the county \$2 million of state funds for septic-to-sewer work during fiscal year 2000-2001, Heal the Ocean immediately went to work with Environmental Health Services, administrator of the funds, to work up a list of engineering projects we agreed on.

It has been a long six-year process that has taken us to the Board of Supervisors and back, but we have finally arrived! On December 19, 2006, the Santa Barbara County Board of Supervisors approved \$1.4 million of the "HBJ" funds to be spent on the following:

\$250,000: For a programmatic environmental impact report (EIR) to cover all projects for wastewater upgrade (not just sewer) in areas of the county where septic systems have proven to be a problem.

\$200,000: For a Septage Treatment Facility Preliminary Design (because septic waste is so heavily concentrated, septic waste haulers must take pumped material to Ventura or Santa Maria).

\$250,000: For wastewater management plan(s) where needed (to be determined in the future, this money is basically set aside for areas like Hope Ranch (#1 on the septic map, above) should Hope Ranch change its mind and accept such a plan.)

\$700,000 (approximately): For all other sewer engineering plans for areas on the south coast where homeowners want and desire it.

In approving this list, the Board of Supervisors approved that a purchase order be issued by June 2007 to the City of Santa Barbara for preliminary engineering design for sewer extension into the city's adjacent unincorporated areas. This includes Veronica Springs area (#2 on the septic map); Northview Road/Vista Vallejo area, Sunset Road/Fairfax Road area, and the Calle Cita/Carol Avenue/Russell Way area (#3 on the septic map).

The Montecito Sanitary District (MSD), which has been progressive in initiating septic-to-sewer conversions lane by lane (Orchard Avenue in October 2005; Tabor Lane in December 2006), has applied for HBJ funds to pay for survey and design plans for lanes off East Valley Road, where 100% of the owners want sewer. Heal the Ocean has helped, and is helping, to facilitate this process. We will continue, also, to see how we can help provide information to homeowners on in the Eucalyptus Hill/Barker Pass area (#5 on the septic map); and the Riven Rock area (#6) as to the advantages of having a blueprint for sewer conversion, should they ever want it.

The State Water Resources Control Board, which is administering grant funds from Proposition 50 and Proposition 84 for clean-water projects, is now looking very favorably on septic-to-sewer projects, as well as projects that improve sewer infrastructure. In January, Heal the Ocean met with SWRCB representatives, together with the Carpinteria Sanitary District (CSD), to fine-tune CSD's application for \$3 million to help pay for the "South Coast Beaches Septic to Sewer Project" (Rincon, Sandyland and Sand Point (#8 & 9 on the map).

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GOLETA SANITARY CONTINUES UPGRADE

On January 30, 2007, the Goleta Sanitary District submitted to the Regional Water Quality Control Board (RWQCB) its Draft Plan for Project Design and Construction Financing for the wastewater plant's upgrade to full secondary sewage treatment levels.

This follows GSD's submittal to the Regional Board on December 12, 2006 of its Complete Draft Facilities Plan outline document, and its June 21, 2006 contracts for environmental and consulting engineering for the treatment plant upgrade. These steps are part of GSD's November 2004 settlement agreement with the RWQCB, which has established a strict schedule for the upgrade.

Heal the Ocean has been following GSD's conversion schedule since our success in 2002 in defeating the sanitary district's application for another five-year 301(h)

waiver, which would have allowed the district to continue discharging a blend of primary and secondary-treated sewage into the ocean. Only a few wastewater facilities in California (and across the U.S.) have been operating under such waivers; almost all other sanitary plants upgraded to full secondary treatment levels when the Clean Water Act was passed in 1972.

It took Heal the Ocean two full years of legal wrangling at local, regional and state levels to defeat the waiver application. We held demonstrations in the rain, made underwater videos of the sewage dumping to show the Regional Board (on our website, www.healtheocean.org), we appeared at countless hearings, met repeatedly with the GSD board of directors, and overturned a GSD appeals at the State Water Resources Control Board in Sacramento.

In the end, we won. This is due to persistence by HTO activists, as well as the good work by our lawyers, Vicki Clark (now an environmental attorney in Alaska) and Marco Gonzalez of Coast Law Group, Encinitas, California.

Heal the Ocean is pleased to see GSD's conversion schedule on time and on track. The next step for the district is to submit a final Project Design by March 2008, with a complete final facilities plan and draft CEQA document completed by June 2008.



ODDS & ENDS

HTO is providing biodegradable dog bags at the head of Hammonds Trail in Montecito (thank you, Laura and Mike Lodato for maintaining this!)...HTO received an e-mail from the Philippines, from a woman who wrote, "It's really significant what you do here. I was wondering if you guys are planning to branch out other areas/countries such as ours. Thanks!"...HTO continues to support the local branch of Surfrider in funding the operation of portable toilets at Santa Claus Lane...Oniric's new CD, "Solutions for Dreamers: Season Two," dedicated to Heal the Ocean, features Hillary Hauser's "ocean factoids" rapped by G. Love. Check out Oniric's website, www.oniricrecords.com, to buy it!...And last but not least, executive director Hillary Hauser wants to extend her forever, heartfelt thanks to Tal Avitzur and Allison Jaqua for coming out, day in and day out, during January to help Hillary search for her beloved Mitzi, a schipperke/border collie mix who fled her house on New Year's Eve because of fireworks. Thank you to Kara Rhodes, too. Mitzi was never found.




GSD CONVERSION SCHEDULE

A. Preliminary Activities	Date of Completion	D. Financing	Date of Completion
1. Submittal of Detailed Conversion Plan and Timeline to Owners of Capacity in District's Plant	1/1/05	1. Complete Draft Plan for Project Design and Construction Financing	1/30/07
2. Coordination of Conversion Concepts w/Owners of Capacity in District's Plant	6/30/05	2. Complete Final Plan for Project Design	3/31/08
3. Send Requests for Environmental and Consulting Engineering Proposals	12/31/05	3. Submit Proof that all Necessary Construction Financing has been Secured, incl./Compliance with Proposition 218	12/31/10
4. Award of Environmental and Consulting Engineering Contracts	6/30/06		
		E. Design and Construction	
B. Facilities Planning		1. Initiate Design	6/30/08
1. Complete Draft Facilities Plan	12/31/06	2. 30% Design	12/31/08
2. Complete Final Facilities Plan	6/30/08	3. 60% Design	11/30/09
		4. 90% Design	3/31/10
C. Environmental Review and Permitting		5. 100% Design	9/30/10
1. Complete and Circulate Draft CEQA Document	6/30/08	6. Issue Notice to Proceed to Contractor	4/30/11
2. Certify Final CEQA Document	1/31/09	7. Construction Progress Reports	Quarterly
3. Submit Applications for all Necessary Permits	1/31/09	8. Complete Construction and Commence Debugging and Startup	4/30/14
4. Obtain all Necessary Permits	1/31/11	9. Full Compliance w/Secondary Requirements	11/1/14

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HTO will continue its dialogue with these same SWRCB representatives as to other sewer engineering needs that may arise in the future, and the possibility of Proposition 84 grant funds paying for additional sewer engineering studies such as the Lilac/Knowlwood area in Montecito (#7 on the map). A sewer engineering study was

done for Upper Mission Canyon (#4) several years ago, and some homeowners have used the study to hook up to sewer, most have not.

We thank Rick Merrifield and David Brummond of EHS, and Peggy Langle and Dan Reid, who were at EHS before, for working out a powerful program to handle septic problems in Santa Barbara County. 

ORIGINS OF HEAL THE OCEAN

Heal the Ocean started in August 1998 following the publication of a Santa Barbara News-Press editorial by Hillary Hauser. Read this "Genesis" article on our website www.HealTheOcean.org.

MORE STORM OVER STORM WATER

Storm water runoff is a leading cause of pollution of the ocean, as well as rivers, throughout California, and surfers and ocean users are advised to avoid the ocean for three days after a rain. Soon after Arnold Schwarzenegger became governor of California in October 2003, he publicly stated his belief that the ocean is of paramount importance to California, and created the California Ocean Protection Council to specifically address ocean pollution.

That same year, in 2003, the State Water Resources Control Board (SWRCB) adopted regulations to combat storm water pollution. Called Waste Discharge Requirements for Storm Water Discharges from Small Municipal Separate Storm Sewer Systems (General Permit), this directive requires every city and county in California to develop a Storm Water Management Plan (SWMP) detailing how pollutants in storm water runoff will be reduced.

Within the State General Permit, two categories of action are outlined: Phase I cities (with populations over 100,000 were required to get storm water plans into place within a given deadline or face fines, whereas Phase II cities (populations under 100,000) were not given a deadline. Phase I cities, like Los Angeles, San Diego, San Francisco – and even Ventura – got to work immediately, and for some time now, these cities have been actively dealing with storm water

runoff. They have installed storm water filters, bioswales, initiated street sweeping and other “best management practices” (BMPs) to limit pollution running to the sea during rains.

Meanwhile, many Phase II plans are lying unread on a regional board desk. Leaving Phase II cities “to the discretion of the regional boards,” the State General Permit has instituted no deadline or fines for failing to meet deadlines. Since 2003, the Central Coast RWQCB, which regulates water quality issues from Salinas to the Ventura county line, has only one county permit in place (Monterey), and of the 31 cities it oversees, only 10 have been approved. Some first drafts have not had staff review for more than three years, Carpinteria, Solvang and USCB included.

Meanwhile, the City of Santa Barbara SWMP is being picked apart by the Regional Board staff, when in fact it is a strong document.

On July 7, 2006, when the Regional Board approved Santa Barbara County’s extraordinarily weak storm water permit, our organization joined the Natural Resources Defense Council (NRDC) in a August 15, 2006 petition to the State Water Resources Control Board (SWRCB) to overturn the RWQCB approval.

To the NRDC’s lengthy list of complaints, HTO has added our two main issues:

Jurisdiction. The County has failed to produce maps that delineate areas of its responsibility for storm water management – including the polluted, 303(d) listed Santa

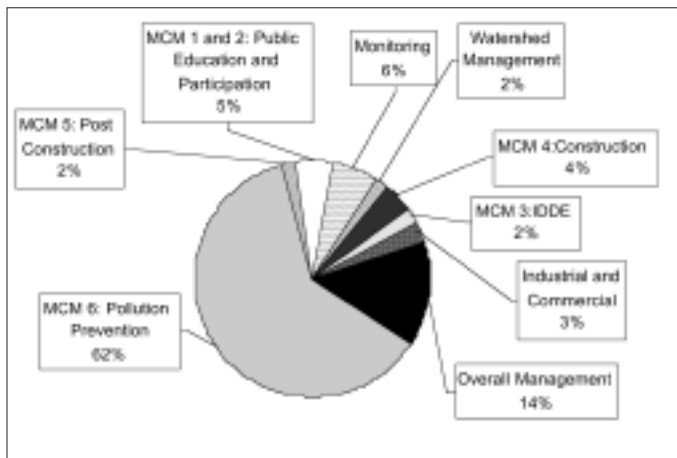
Ynez and Santa Maria Rivers.

Use of Funds. The funds within the County’s budget, administered by Project Clean Water (PCW), is almost exclusively focused on the South Coast, with very little funds or planning for the North Coast (where the Santa Ynez and Santa Maria rivers flow). And of the funds dedicated to the South Coast, the bulk of the money is being spent on public education, which includes the expensive lease of the Watershed Resource Center at Arroyo Burro.

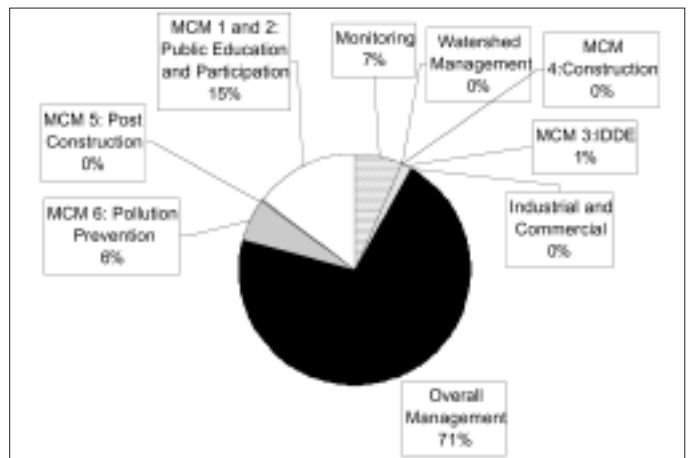
In her thorough scrutiny of PCW’s budget, HTO policy analyst Priya Verma prepared financial “pie charts,” to show how the County is spending its funds for clean-water work. A quick review of this chart is revealing, compared with other cities, especially in terms of administration costs.

HTO feels the real culprits in this whole storm water debacle may lie at the state and regional level. We feel state General Permit has no teeth in relation to Phase II communities, that the permit needs review and modification to institute deadlines and penalties for these communities. The state might even reconsider how Phase II cities and counties could be redefined so that they face Phase I standards. Santa Barbara County has more than 100,000 residents.

Finally, we feel the state needs to review how the Central Coast RWQCB has handled, or failed to handle, the storm water permits within its region.



What Other Cities are Doing: Average distribution of aggregate costs for City of Encinitas, City of Corona, City of Santa Clarita, City of Fremont, Fresno-Clovis Metropolitan Area, and City of Sacramento. (Chart by Priya Verma, from SWRCB data)



What Santa Barbara County is doing: Project Clean Water budget for SWMP-required MCM (Minimum Control Measures), based on 2005-2006 budget figures. (Chart by Priya Verma)

STUDYING SHALLOW-WATER SEWER OUTFALLS

Heal the Ocean has been considering for some time the potential of short sewer outfalls adding to near-shore pollution problems, as well as posing a health hazard for ocean users on beaches nearby. Although sporadic, our rounds of virus testing in the ocean (with samples processed in the USC laboratory of Dr. Jed Fuhrman) have revealed human pollution (hepatitis A included) in popular swimming waters, on summer days where creeks and storm drains are not running.

Taking into account all possible sources of such pollution, we have collaborated with the City of Santa Barbara and the U.S. Geological Survey (USGS) on a study of groundwater transport of pollutants to the sea. We have considered homeless populations and mapped septic systems on the Santa Barbara south coast.

To us, it seems sensible to next study sewer outfalls that discharge secondary effluent into the ocean in very shallow water, close to shore. We are focusing on this situation not only for the Santa Barbara south coast, but

for the entire state of California. Some cities discharge their effluent into the tidal zone (i.e., Shelter Cove and Crescent City).

HTO policy analyst Priya Verma is revising and updating HTO's Ocean Wastewater Discharge Inventory for the State of California, originally published in 2005, and the original version is posted on our website, www.healthocean.org. The new, revised edition will contain all Wastewater Discharge Requirements (WDRs) for California wastewater plants with ocean outfalls, contain violation reports, and more accurately report volumes of effluent discharge.

Heal the Ocean is now scoping the possibilities for a state-of-the-art scientific study of a shallow ocean wastewater plume, to see where and how the discharge travels. We want to know if shallow-discharge sewage hits the beach, where swimmers swim, and if it contains dangerous pathogens. Wastewater treatment facilities serve as a direct pathway for the discharge of human-specific

fecal indicator bacteria (FIB) and their ocean discharges are important to consider in any analysis of the health of recreational ocean waters.

There are more than 37 direct-to-ocean sewage outfalls discharging into the Pacific Ocean off the coast of California. Of these wastewater treatment facilities, at least 13, or 35% of them, are discharging treated sewage effluent into particularly shallow waters, 40 feet or less, where there may be a high probability of contact between treated sewage and people recreating in the water.

More than 21 million gallons per day of sewage goes into the ocean off California daily in less than 40 feet of water, at distances less than a mile from the shore.

To address this important subject, Heal the Ocean has enlisted the help of UCSB oceanographer Dr. Libe Washburn and Dr. Carter Ohlmann, as well as microbiologist Dr. Patricia Holden, also of UCSB. We are working on the

development of a year long-study that will use new technology, specifically, one which uses computerized drifters to collect data on the movement of a shallow wastewater plume.

In addition, water quality data will be collected within the path of the wastewater plume, as well as at the beach, to determine whether FIB found at the beach originates from the wastewater treatment facility.

A goal of this study will be to evaluate the effectiveness of the new computerized methodology for source tracking pollutants entering the ocean, as well as provide important information that could quite possibly lead to policy affecting ocean water quality.

This study is an expensive proposition (up to \$500,000) but we feel it is an important study, and our grant writer, Stephanie Jamgochian (who successfully pulled in funds to contribute to the USGS groundwater study) is busy at work on this one!



ASSEMBLY BILL 885

Heal the Ocean is very much involved in the passage of Assembly Bill 885, which would regulate septic system use, as related to groundwater pollution, throughout the State of California. Authored by former Assemblywoman Hannah-Beth Jackson, AB 885 has been going through the public hearing process (where HTO has appeared, together with Heal the Bay, Santa Monica, to support the bill).

The State Water Resources Control Board (SWRCB) has issued a draft of the bill, which HTO and Heal the Bay feel is "watered down," to its CEQA contractor in January, and expects the contractor to have a draft EIR ready for review by May 1, 2007. By mid-May the SWRCB will begin to hold public hearings on the draft bill from mid-June to early August, 2007, and adopt it at its November 2007 board meeting.

Heal the Ocean will continue to attend these hearings, to fight against this bill being weakened. There is much pressure from real estate interests, as well as (and this is surprising) city environmental health directors to limit the proposed regulations. We like the Shasta County environmental health director who stated at a SWRCB hearing in Malibu, "What's the big deal? We go out and inspect a septic system every time a house goes on the market. It's what we've always done."



CALIFORNIA'S SHALLOW-WATER SEWAGE OUTFALLS			
	Average Dry Weather Flow	Distance From Shore	Depth Of Water
Crescent City	1.9 MGD	Surf Zone	0
Eureka	5.24 MGD	4100 ft	22 ft
Shelter Cove	0.17 MGD	Surf Zone	0
Fort Bragg	0.59 MGD	650 ft	20 ft
Daly City	6.85 MGD	2500 ft	32 ft
Half Moon Bay	2.2 MGD	1900 ft	37 ft
Carmel Pebble Beach	1.6 MGD	600 ft	35 ft
Ragged Point Inn	0.013 MGD	Cliff Discharge	0
San Simeon	0.1 MGD	900 ft	20 ft
Avila/Port San Luis	0.03 MGD	2240 ft	29 ft
Montecito	1.1 MGD	1550 ft	22 ft
Summerland	0.16 MGD	740 ft	19 ft
Carpinteria	1.4 MGD	1000 ft	25 ft

OUR SECOND ANNUAL
BENEFIT CONCERT

*A Sold Out
SUCCESS AGAIN!*



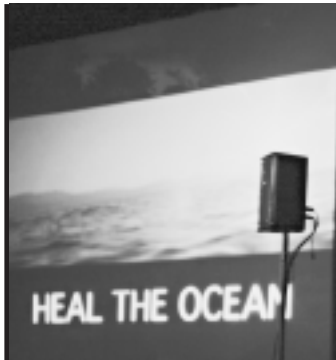
ALL PHOTOS BY BRET GUM

The sunset was glorious as people arrived at the QAD campus overlooking the ocean in Summerland for Heal the Ocean's 2nd Annual Benefit – once again sold out weeks in advance. There was the orange and purple sky to admire, as well as a gigantic and magnificent sand castle at the entrance created by artist *Greg LeBon*, with stingray, shark, whale, fishes and Heal the Ocean's logo artfully carved in yellow sand. As guests proceeded into the building, they were awed by a spectacular spread of tables on the lawn below, each one

glittering with crystal vases filled with blue waters. The fabulous scene was created by the Big 17 Committee, chaired by HTO board member *Laura Lodato*, who had worked on this party for months. Our generous lead sponsors of the evening were Divecon Services/*Ted Roche* and the Barels Family Trust/*Larry & Wendy Barels*. The ever-wonderful *Julia Louis-Dreyfus*, who had just won an Emmy for her television series role in "New Adventures of Old Christine," served again as honorary chair of this Second Annual Heal the

Ocean Benefit Concert, and she opened the evening with hilarious, salty but serious talk about ocean pollution. HTO executive director *Hillary Hauser* introduced the 4-minute film "Grassroots for the Ocean," created by *Jim Knowlton* of Blue Ocean Productions, and this film showed the audience how a gathering of citizens can make powerful changes – and included the Chinese proverb, "Tell me and I'll forget, Show me and I may remember, Involve me and I will understand." For the second year in a row, the ever-outrageous

radio star *Matt McAllister* did the honors of running the successful, live auction. And then, under a clear night sky, blues star *Amos Lee* and his band performed for the enthusiastic audience, and many people danced the night away. As *Hillary Hauser* told the crowd, the feeling of this night was represented by the hearts on new HTO t-shirts created by Big 17 Committee member *Eileen Haber* – it was an evening of love, for each other and for the ocean. The Heal the Ocean Benefit Concert has become known as "the best party of the year!" The



*Get ready for
the next
Heal the Ocean
Benefit Concert – on
September 29, 2007!*



1. Wendy & Larry Barels, Stan Harfenist, Tiare Barels, Dick & Peggy Lamb
2. Jana & Jeff Young, co-founder HTO
3. Sandcastle by Greg LeBon
4. Moss Jacobs & Tamara Jensen
5. Mr. & Mrs. Brad Hall (Julia Louis-Dreyfus)
6. Dana Golden & Barbara Hrach

7. Eileen & Michael Haber
8. Matt McAllister, auctioneer
9. Hillary Hauser, HTO executive director
10. Julia Louis-Dreyfus
11. Amos Lee
12. Brook Taylor & Bob Morris
13. Graham Farrar, Ted Roche & Kelly Roche

14. Mr. & Mrs. Terry Tamminen (Leslie Mintz)
15. The Setting
16. The Big 17 Committee

energy is wonderful, the music always great, the dinner, catered by *Mondial* for the second year in a row, was exquisite, and the wines, donated by *Melville Winery* as well as *Brander Winery* and *Foxen Winery*, were outstanding. HTO board member **Laura Lodato**

deserves a gold medal for her wonderful work as chair of the Big 17 Committee, which worked hard all year for the success of the event – over **\$150,000** was raised this night! The committee is already at work planning the Heal the Ocean Benefit Concert 2007 – all of this a

labor of love and serious dedication that makes it possible for Heal the Ocean to pay researchers, scientists, lawyers, plumbers and experts, as well as DNA and virus laboratories, so that we can continue to make progress in our campaign to heal the ocean's ills.

The Big 17 Committee

with Event Chair Laura Lodato, this gang of girls (left to right) made our Benefit Concert a huge success!

- | | |
|------------------|----------------------|
| Pat Kelley | Nicola Ghersen |
| Hilary Doubleday | Sara Farrar |
| Paula Stussy | Heather Hudson |
| Aleya Dao | Crummer |
| Kara Rhodes | <i>not pictured:</i> |
| Eileen Haber | Karen Bezuidenhout |
| Tiffany Doré | Julie Collinson |
| Laura Lodato | Tamara Jensen |
| Heather Clenet | Francoise Park |



With Deep Appreciation

Heal the Ocean sends its sincere thanks to these contributors who have helped assure the success of our campaign for a clean and healthy ocean. This roster records donations made from January 2006 to the present. If your name has been omitted, we sincerely apologize, and ask that you please call (805) 965-7570 so that we can correct our records.

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Where Your Donations Go:

U.S. Geological Survey (for groundwater testing)
 Rincon Indemnity Fund (for septic-to-sewer project)
 Carpinteria Sanitary/Padre Assoc. (EIR for Rincon project)
 USC laboratory of Jed Fuhrman (for virus testing in ocean)
 Grant writer (for Prop. 50 grant to study shallow sewer outfalls)
 Researcher (compiling data on Calif. ocean sewage outfalls)
 Lawyer (Rincon challenges, County stormwater permit
 weaknesses, CEQA advice on all issues)
 Plumbers (inspect sewer laterals)
 Transportation (to get to Regional Board hearings,
 state hearings, AB885 hearings)
 ...and much, much more!

Hooray, Patagonia!

*As this issue was going to press, Patagonia
 presented Heal the Ocean a generous
 check to apply to our work.*

Thank You, Patagonia!

FLAGS FLY ON STATE STREET

On the morning of August 18, 2006, State Street in Santa Barbara was rimmed top to bottom with joyful dolphins leaping from a blue sea. Heal the Ocean's flags were flying!

Heal the Ocean was invited to participate in the Santa Barbara Downtown Organization's State Street Flag Program, in which various organizations are invited to fly their flag for 10 days each year, for five years. Heal the Ocean's flag is our logo, created by HTO founding member Chris Wilkinson of E-Wave, an image that is known all over town because it is one of Santa Barbara's most popular bumper stickers. The image combines sun, mountain, river and ocean to indicate the interconnectedness of all things to the sea – and to the happy dolphins.

The flag design was created by architect Steve Hausz from Wilkinson's original logo. Hausz serves on the Downtown Organization's flag committee.

Heal the Ocean's State Street flag dates are, every year, August 18-28, which just so happens to include the birthday of our founding. (Our organization was founded by Hillary Hauser and Jeff Young on August 19, 1998, during a public protest over the polluted ocean and closed beaches of Santa Barbara.)

HTO is very proud to receive this invitation to fly our flags, in that we have been asked to join wonderful company, like the Santa Barbara Symphony, American Red Cross, Girls, Inc., SEE International, United Way, and many other fine organizations. When we received the invitation, the HTO Board of Directors put out a call to our loyal membership for sponsorship of the flags.

We are proud to publish the roster of our Heal the Ocean Flag Bearers, and every year, when our flags go up on State Street, we will thank you again.



Photo by John Robinson.

For the inaugural HTO Flag Day on August 18, 2006, we had a big, fun celebration at State & A, on the corner of Anapamu and State streets, and Santa Barbara Trolley provided round trip rides that were enjoyed by our many guests, who cheered and chanted their way up and down State Street. Our heartfelt thanks to Gary Lynd of State & A, and to Les Dayka of Santa Barbara Trolley!

The HTO Flag Day celebration will take place every year on August 18 when our flags go up, and we look forward to seeing each and every one of you there.



HTO FLAG BEARERS

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Ron Baker
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Les & Zora Charles/
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Charles Vinick
Daniel Waldman
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Cath Webb & Steve McLaughlin
Jim and Sharon Westby
Blair & Heidi Whitney

RINCON MOVES FORWARD...continued from page 1

The Rincon Point portion of the South Coast Beach Communities project, in particular, is the “flagship” septic-to-sewer project in California, in that Rincon called attention to the pollution problems presented by septic systems being installed in areas of shallow groundwater, areas with highly permeable soils, and other unsuitable areas. The pollution problems at the Rincon gave rise to Assembly Bill 885, which will soon regulate the use of septic systems throughout the state.

Heal the Ocean continues to be grateful for the generous financial help of Rincon homeowners and singer Jack Johnson for helping us establish our legal indemnity fund, and we thank Patagonia and Yvon Chouinard, the Ann Jackson Family Foundation, Glenn Hening and the surfers of the annual Rincon Clean Water Classic, Larry Barel, and other wonderful HTO supporters for contributing to this expensive cause. To date HTO has advanced over \$175,000 for EIR work, legal help and other related work to get this septic-to-sewer project through to completion. It needs to be mentioned, too, that there has been invaluable financial help from funds brought into the county in 2001 by former assemblywoman Hannah-Beth Jackson for septic-to-sewer work. These funds, administered by Santa Barbara County Environmental Health Services (EHS), specifically Rick Merrifield and David Brummond, are paying for the assessment district and annexation engineering efforts currently underway.

We also couldn't be doing this without the excellent help of our attorney, Marco Gonzalez of Coast Law Group, LLC, in Encinitas, California, and we also again thank HTO board member Steve Halsted for providing a wonderful liaison between engineers, EIR specialists and Rincon homeowners. And last but not least, Craig Murray, CSD general manager, for keeping the faith, and pushing the project forward.

And that isn't all! HTO is now involved in helping CSD pursue a Proposition 50/Clean Beaches Initiative grant from the State Water Resources Control Board that could pay up to 25% of sewer construction costs for not only the Rincon, but Sandyland Cove and Sand Point, too. This

RINCON TIMELINE

Pre-August 1998: CURE (Clean Up Rincon Effluent) circulates petition, complaining about surfers getting sick..

August 1998: Heal the Ocean forms.

October 1998: HTO initiates DNA testing of Rincon Lagoon, working with Santa Barbara County Environmental Health Services. Results show human fecal bacteria in the lagoon.

November 1998-February 1999: HTO coordinates Rincon homeowner meetings to explain hookup to Carpinteria Sanitary District (CSD), introduces septic-to-sewer concept to Sandyland, Sand Point, Padaro Lane and Beach Club Road, a total of 175 homes.

March 1999: HTO writes check for sewer engineering study for Rincon; Paid for my surfers of the Rincon Clean Water Classic, CURE, Surfrider, SB County Project Clean Water, Rincon homeowner association, and HTO. Funding help comes from Patagonia.

July 1999: Price of sewer for Rincon comes in at \$2.9 million. Homeowners vote to connect. Price includes cost of Environmental Impact Report (EIR) required for the project.

August 1999: Assemblywoman Hannah-Beth Jackson tours Rincon, goes back to Sacramento and authors Assembly Bill 885 to regulate septic systems throughout state of California, and secures \$2 million for S.B. County to combat septic system pollution problems.

August 2000: Rincon homeowners vote to hook up to sewer (51% is required, 73% say yes). Five Rincon homeowners immediately sue to stop project, because EIR has to be performed before vote is taken. “Catch22” emerges: such projects can't be done without EIR, yet there are no funds for an EIR until homes are levied.

September 2000: CSD withdraws project. CSD manager John Miko (now deceased) locates state grant source for \$425,000 EIR funds.

February 2001: HTO guarantees CSD \$67,000 in out-of-pocket expenses.

March 2001: HTO begins lobbying state officials for EIR grant approval.

September 2001: “South Coast Beach Communities Septic-to-Sewer” grant awarded as “number one priority” by State Water Resources Control Board.

January 21, 2003: EIR work begins for Rincon, Sandyland, Sand Point, Padaro Lane and Beach Club Road projects.

March 2004: CSD certifies EIR.

December 2004: Three Rincon homeowners in Rincon file suit vs. EIR certification and the project. HTO hires Marco Gonzalez of Coast Law Group, Encinitas. HTO forms Indemnity Fund to pay CSD's legal expenses, with fund financed by homeowners in the sewer project areas, HTO board members, singer Jack Johnson, surfers of the Rincon Clean Water Classic and other supporters.

February 2005: SB superior court throws out oppositions' complaint as “unintelligible.” Complaint is revised and refiled.

May 2005: Opposition's revised lawsuit is thrown out of court as “unripe,” because no sewer project has been approved by CSD.

June 2005: HTO establishes \$48K Supplemental EIR Fund, to have additional planning work done on Rincon portion of project before CSD approves project.

October 2005: Regional Water Quality Control Board passes Resolution supporting sewer project (helpful if lawsuit is filed). Updated engineering starts on all communities

in project (paid for by Santa Barbara County EHS out of Hannah-Beth Jackson funds, which will also pay for annexation and assessment engineering).

July 2006: Supplemental EIR (SEIR) work completed on Rincon part of project; 30-day public circulation begins.

September 19, 2006: CSD approval of the South Coast Beach Communities Septic-to-Sewer project.

NEXT STEPS:

December 2006 – July 2007: Assessment District (AD) Formation/Project Financing

December 2006 – May 2007: Annexation Proceedings

March 2007: State Water Resources Control Board announces recommended project list for Proposition 50 funding (potentially \$3 million for project); Adopted list of approved projects announced end of April-early May 2007.

April 2007: Ballots mailed to homeowners in project area

May 2007: Homeowner vote

June/July 2007: Funding Procurement (Bond issuance)

July 2007 – February 2008: Project Final Design and Permitting

March 2008 – May 2008: Bidding, contracting

June 2008 – March 2009: Project Construction

Spring 2009: Project Completion

The implementation timeline provided above may differ for each individual community. Permitting, right of way acquisition, and construction impediments could add time to the overall schedule.

financial assistance could provide even more impetus to finally complete these critical sewer projects! The state granting agency considers the Rincon project in particular as “high priority,” because the beach at Rincon has repeatedly made the Heal the Bay list of impaired beaches based on water quality sampling results.

When built, the “South Coast Beach Communities Septic-to-Sewer Project will

be one of the most important clean-water victories in Santa Barbara, and at HTO we are preparing to be out there in the ocean at Rincon, celebrating and catching wonderful – clean – waves with everybody.





SOLUTIONS FOR DREAMERS FESTIVAL

Thank you Oniric Records and Simple Shoes for co-sponsoring the February 24, 2007 “Solutions for Dreamers” Festival at the Arlington! Thank you producers Jacob Tell, Sean Campos and Matt McAvene for making this wonderful event happen, to benefit us. Thanks to local environmental organizations and businesses for making the afternoon festivities creative and communicative, and finally, much gratitude to all the outstanding musical performers, artists, and puppeteers for making the evening concert one-of-a-kind! ☀

GROUNDWATER...continued from page 1

November 2005 and June 2006. Selected wells also will be sampled at that time.

In 2007, USGS will conduct new tests to investigate the possibility and/or degree of contribution to high FIB levels by rotting kelp and other detritus at the high tide line, that may harbor FIB from birds and other animals.

In 2007, USGS will continue to assess groundwater recharge, tidal fluctuations, storm flow and potential sewer discharge to beach sands.

Data will be evaluated to determine if direct leakage of sewage occurs as a result of storm flow runoff from Mission Creek at Gutierrez Street.

While the highest level of bacteria during

storms comes from urban storm drains, USGS has observed unusual water-level changes during storms in shallow wells near the main sewer line along West Beach, which is now being investigated for possible leakage from the sewer or for urban storm flow discharges.

Human bacteroides in the ocean at West Beach during the June 2006 sample period are being evaluated to determine possible sources of human fecal contamination.

USGS will publish its data from the MCU-SOB project at the end of 2007.

The best news about the USGS groundwater project is that it has already encouraged the city of Santa Barbara to take a proactive role in attacking potential sources of pollution while

these sources are still being studied. A sewer line is being re-sleeved along Cabrillo Blvd., and the city has diverted runoff from a highly polluted storm drain to its wastewater treatment plant. In December 2006, the city also unveiled its ultraviolet (UV) treatment facility for another of its storm drains that USGS found to be highly polluted with human bacteria.

On a broader level and of paramount importance to Heal the Ocean, the MCU-SOB project is applying cutting-edge technology to an investigation that, when finished, will have vast implications not only for Santa Barbara, but every coastal community in the nation – and in the world. ☀

HOORAY FOR OUR FUNDRAISERS

In October 2006, the children of 18 families that have formed a group called Families United in Nurturing Development (FUND) held a big rummage sale they organized themselves, and they raised \$3,000 to distribute between three of their favorite causes. This year they picked animals, environment and homelessness. HTO is honored to receive \$1,000 from this innovative group of young citizens!...We thank Kate McMahon of KATE in Montecito, for putting us on her website, and donating to HTO a percentage of sales made there!...Hooray for the Santa Barbara Art Association, which once again held an art show of magnificent works featuring the ocean as theme, in November 2006 at Gallery 113 on State Street. The SBAA/HTO show is going to be an annual event. Thanks, Manny Lopez and all the artists responsible for making this happen!...Finally, we are ever grateful to Patagonia, for reaching out to us with a generous grant, and the invitation to build a relationship of working together to heal our ocean. ☀

AND OTHER SIGNIFICANT BUSINESS...

Heal the Ocean supported the sewer lateral ordinance that will go into effect in the City of Santa Barbara in 2007, and we are wondering how effective this ordinance will be when we can't get any help from anybody in the city or anywhere else on the terrible sewer lateral on our own building! This lateral has two bellies (bends) in it (we hired a plumber to video the line), and backs up, causing a terrible odor inside the building. We are told by a city official that “bellies are normal,” when regulations stipulate that a lateral must be straight and have a downward slant of a minimum 2%... HTO has joined the Natural Resources Defense Council (NRDC) in opposing the de-listing from the federal 303(d) list of impaired water bodies the Carpinteria Salt Marsh (for sediment/siltation) and the Goleta Slough (also for sediment/siltation). These water bodies still remain on the 303(d) list for other pollution problems, but HTO feels that the sediments that flow into both the Carpinteria Salt Marsh and the Goleta Slough continue to pose a hazard not only for their own eco-health, but for the health of anything that lives in these waters, not to mention the fact that bacteria binds to sediments. ☀

Heal the Ocean

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Rincon Point

Original art by Peggy Oki