



WINTER-SPRING 2005

Moving off Septics

On January 26, 2005, the Santa Barbara County Planning Commission approved the extension

HTO progresses on clean-water campaign

of sewer service from the Summerland Sanitary District to the Pacifica Graduate Institute. Pacifica is located near the bottom of the Toro Canyon area on Lambert Road, serving as many as 135 students and/or faculty a day.

For Heal the Ocean, this decision by the Planning Commission represents a major step toward an overall movement to get rid of heavy septic use in areas of creeks, shallow groundwater and improper soils, where leachfield materials can mix with groundwater, creeks, and eventually the ocean.

Toro Canyon was identified long ago by HTO as a "septic cluster," and the county's 2003 Questa Engineering Report also identified it as a problem spot. However, in the long-waged battle over the Toro Canyon Plan, the issue of sewer service and increased development presented a concern, shared by HTO. We organized meetings with city and county officials to see if development could be controlled some other way than by sewage treatment methods, but these talks bogged down.

The Toro Canyon decision indicates to us that there may be wider acceptance by our public health officials and agency heads regarding the reality of the environmental damage being done to our watersheds from the overuse of the ground to process wastewater.

lobbying, that other septic-to-sewer projects on the Santa Barbara south coast are finally stirring to life also.

As you read this, the process for financing a study (more correctly, engineering plan and cost estimate) is going forward for the Braemar/Yankee Farm area, a coastal area of dense septic use, which drains at its easterly end into the Arroyo

Burro watershed. The Request for Proposal (RFP) for the Braemar/Yankee Farm study was to be finished by the City on February 15, 2005.

Following that, the city will identify, by April 2005, other areas that are "logical candidates" for City sewer service – including small pockets within

the Las Positas Valley area (where Arroyo Burro Creek runs), as well as the Hope/LaCumbre area, where residents report trouble with their systems. This is the first step in getting engineering studies done for these areas, too.

HTO has been steadily working with the county Environmental Health Services to get money released from the \$2 million in septic-to-sewer funds brought into the county by former Assemblywoman Hannah-Beth Jackson to finance these studies. We maintain costs and blueprints are essential, because without them, residents cannot know cost or blueprint/details to make informed decisions.



We are pleased to note, after our incessant

USGS TO TEST GROUNDWATER

Thanks to ongoing funding from The Ann Jackson Family Foundation, our organization has been able to step up our investigation of the possibility of leaking sewer pipes contaminating groundwater beneath the city of Santa Barbara.

In December 2004 we hired Santa Barbara grant writer/consultant Stephanie Jamgochian (see HTO news, page 6) to raise nearly \$400,000 to fund a three-year study by the U.S. Geological Survey (USGS) to core and sample the groundwater beneath the city.

The "Microbial Contamination of Urban Streams and Ocean Beaches" project, as the USGS study is called, is focused on the Santa Barbara beachfront (Cabrillo Blvd. to the city's El Estero wastewater treatment plant), where groundwater is shallow, and beneath the lower parts of Mission Creek, where groundwater is also shallow and where sewer pipes meet.

This project is the result of collaboration between HTO, the city of Santa Barbara and USGS, as well as UCSB researcher Dr. Patricia Holden, who will perform DNA work on groundwater samples taken by the USGS hydrologists.

After examining the city's sewer maintenance records, and hiring a leak detection expert to view video sewer inspections in areas we identified as problematic, the city agreed to collaborate.

On December 14, 2004, the Santa Barbara city council approved funding (\$86,000) for the first year of the USGS study, based on HTO's commitment to the city to work on raising funds for the city's financial portion of years Two (\$234,000) and Three (\$59,000). Year One, now underway, focuses on analysis of existing data, Years Two and Three on sampling, hydrologic coring and DNA work.

We believe a better understanding of the groundwater-ocean pollution link will have vast implications not only for Santa Barbara, but for coastal communities nationwide.

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Hi From Hillary

The winter of 2004-2005 brought Mother Nature's wrath to the entire world. During this time, surfers and other ocean users in Santa Barbara wisely chose to stay out of the water. Looking at

beach reports published in local newspapers, anyone could easily see a "W" (warning) by the names of almost every beach listed.

With streets emptying into storm drains, and storm drains gushing out to the ocean, the heavy "W" list seemed to point to the ocean's health as being heavily tied to stormwater runoff, which contains everything unlovely from dog droppings and car oil to pesticides and trash.

At Heal the Ocean, we continue not only to work on the stormwater problem, but we are also staying focused on the pollution nobody sees during such intense flooding events.

During these times, groundwater levels rise to mix with the leachfields of septic systems, taking these pollutants to sea through unseen, unmonitored, underground channels. Sewer treatment plants, overloaded with millions of extra gallons of water, cannot adequately treat the enormous inflow of sewage, and the plants let out into the ocean sewage that has not been fully treated.

These are among the chief reasons the ocean fares so poorly during storms, and Heal the Ocean remains committed to combating these problems.

We are pleased for significant progress. We are now seeing the Goleta Sanitary District begin a program of upgrade for the sewage it deposits into the ocean a mile off Goleta Beach. A major chunk of septic systems is being removed from the Toro Canyon watershed.

Meanwhile, Heal the Ocean is putting the finishing touches on sewage inventory for the entire state of California – tallying up all the sewage coastal communities are putting into the ocean along our coastline, with special emphasis on shallow water.

We are gratified that our work with state, county and local agencies is becoming more collaborative than combative. When Heal the Ocean first started, it took much effort to convince bureaucrats of the need for close scrutiny of wastewater handling methods. These days, government officials are much more responsive when we bring these problems to their attention. We still have battles, certainly, and we are fortunate to have a great team of lawyers helping us on the skirmishes we still must undertake.

On that score, all of us at Heal the Ocean thank each and every one of you for your continued loyal, generous support. Because of you, we can hire a grant-writer to raise the funds needed for a U.S. Geological Survey of potential sewage contamination of groundwater beneath the city of Santa Barbara. Because of you, we can assemble a sewage inventory for the state of California. Because of you, we can go to court when we have to.

Our organization has had its strongest year ever, both politically and financially. We think this is a clear message that the health of the sea is no fad – and that we are all staying united in our goal to see the ocean returned to a healthy state – rain or shine.

Thanks for helping.

Executive Director, Heal the Ocean

Coast Law Group takes on HTO cases

Heal the Ocean is proud to announce that Marco Gonzalez, a co-founder and partner of Coast Law Group LLP in Encinitas, California, has agreed to represent us in a number of our campaigns directly related to ocean pollution in Santa Barbara County.

Marco, who received his Doctor of Jurisprudence in 1997 from Northwestern School of Law, Lewis and Clark College, Portland, Oregon, has served as Senior Attorney for San Diego Baykeeper and as legal coordinator for the Surfrider Foundation, San Diego Chapter.

When the Goleta Sanitary District sewage upgrade issue became embroiled in a lawsuit (GSD vs. the Regional Water Quality Control Board), Marco successfully represented HTO's interest in the case (see page 3). He is now representing us in the "South Coast Beach Communities Septic-to-Sewer Project" lawsuit (see page 1).

Marco is also working with us to formulate a state legislative approach to the problem of sewage disposal practices in the California, based on HTO's recently completed sewage survey (see page 7).

Marco and his partners in Coast Law Group – Gary Sirota, Rory Wicks and Todd Cardiff – are all on HTO's team now. They are also serious surfers, and they will all be participating as "special guest surfers" in the Rincon Clean Water Classic on Saturday, February 26 (see page 6). Come by and greet these wonderful helpers to our cause!



Marco Gonzalez

WAVING GOODBYE TO WAIVERS GOLETA UPGRADES

Heal the Ocean is celebrating the agreement of the Goleta Sanitary District (GSD) to upgrade its sewage treatment to full secondary treatment by November 2014.

The settlement between GSD and the Regional Water Quality Control Board was reached on November 19, 2004, following GSD's lawsuit against the RWQCB and State Water Resources Control Board (SWRCB), which agreed with Heal the Ocean that GSD should abandon its long-held waiver and upgrade to full secondary treatment.

Our organization had been fighting this issue ever since GSD applied in 2002 for another five-year waiver.

We believe the ten-year schedule for upgrade is realistic. In our work on wastewater issues we find it absolutely crucial to make certain – before we make financial or policy demands on either government agencies, sanitary districts, or the public – that we know what is realistic both engineering wise, time-wise and cost-wise.

During the settlement discussions, Heal the Ocean hired Marco Gonzalez of Coast Law Group, Encinitas (see page 2) to make sure the interest of our members was well represented. To ascertain a

reasonable timetable, we consulted a reputable engineering firm, Metcalf & Eddy, San Diego.

Heal the Ocean had hired Metcalf & Eddy in 2001 to perform a cost/feasibility study for full secondary upgrade for GSD (as well as tertiary upgrade for all five sewer plants in Santa Barbara county with ocean outfalls).

For this previous study Metcalf & Eddy had physically inspected the GSD facility, and now the firm's senior vice president, Chuck Pound, gave us an exact – realistic – timetable, beginning with GSD's submittal of a detailed conversion plan and timeline by January 1, 2005.

The processes that follow include requests from GSD for engineering proposals by the end of 2005, then the award of environmental and consulting engineering contracts six months later. Six months after that comes a draft plan. Then comes the

final plan, environmental review and permitting process, followed by financing, three years for building the facility. Six months is needed for “debugging” and startup.

This entire process added up to 8 1/2 years.

In considering GSD's ten-year plan for upgrade, Heal the Ocean's board of directors decided that to fight for a schedule faster by 18 months would be a waste of both GSD's money and our donor's money. We submitted the Metcalf & Eddy timetable into the settlement negotiations, and this timetable was adopted by the RWQCB.

We are gratified that the settlement agreement includes an enforceable schedule of upgrade, with graduated monetary penalties

for deadlines not met by GSD. This indicates to us that the settlement, and GSD's movement toward full secondary upgrade, is serious business now underway.

Congratulations have come in from all over the state of California, for both Heal the Ocean as well as the Goleta Sanitary District. We are thrilled this issue is put to rest!

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

Heal the Ocean platform

Heal the Ocean is a non-profit citizen's action group with a simple philosophy: the ocean can no longer be used as a dump. Our focus is on the following:

- Zero pathogens in sewage discharges to the ocean
- Reduce septic system use
- Groundwater pollution
- Non-point source pollution
- Ocean dumping
- Tajiguas Landfill

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 2004 through December 31, 2004. 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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FLASH!
As this issue was going to press, Heal The Ocean received an anonymous donation of \$30,000, made by someone through the El Adobe Corporation. Whoever you are, we all **THANK YOU!**



Heal the Ocean News

Rincon Clean Water Classic

Once again the surfers of the Rincon Clean Water Classic – this year to be held at the Rincon Saturday and Sunday, February 26 & 27 – are helping HTO with funds to help us get the legal work done on the “South Coast Beach Communities Septic-to-Sewer Project.” The surfing event, organized annually by the Groundswell Society, will be presenting HTO a generous check during the noon ceremony on Saturday. But in addition to that, event coordinator Glenn Hening says the Coast Law Group lawyers (Marco Gonzalez, Gary Sirota, Rory Wicks and Todd Cardiff) who are working for HTO on the septic-to-sewer project, will be given “first right” to the waves after noon on Saturday. “Every contestant has to pull back and give these guys first go,” Hening says. These lawyers are serious surfers, everybody, come and watch!

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: HealTheOcean.org.

Our innovative fundraisers

The Santa Barbara Art Association held an “ocean” art show to benefit HTO at Gallery 113 on November 5, 2004, and a standing-room only crowd gathered to watch the show open with a ribbon-cutting by Santa Barbara Mayor Marty Blum. Sales were lively, and HTO received a most generous donation! Many thanks SBAA, and particularly Nadya Penoff, who organized it all

Laura Lodato is HTO’s new fundraising chair, and we can’t thank her enough for the enormously successful party she organized on the McCaw Terrace prior to Jack Johnson’s August 31, 2004 Santa Barbara Bowl concert, all of which benefited HTO enormously. Laura is busy at work on a big fall event for HTO, date and details to be announced.

Thank you to the wonderful students of Phil’s class at Montessori Center School, who raised money for HTO by selling popsicles. We cannot emphasize how important all of these ideas and projects are to us! With so many people helping us in any way they can, with whatever they can, the great financial support is coming with HUGE energy behind it. This keeps us going strong!

Finally, thanks to the Nicola and Cliff Ghersen, their

family and friends, who gather with a great deal of cheer to stuff envelopes and attach labels, getting ready for mailing HTO newsletters and other notices. Thanks to Ava Everett and Ruston Slager for their unfailing help, also. Ava and Ruston will be manning our booth at Earth Day this year, so come see us! ☺

HTO in print

Heal the Ocean will be featured in an upcoming issue of H2O Magazine, as well as Blue Edge Magazine – watch for them!...Executive director Hillary Hauser will be portrayed in the back-page “Coastal Character” feature of April 2005 edition of Coastal Living Magazine...Also look for Hillary’s article on Santa Barbara creeks in the fall 2005 edition of Santa Barbara Seasons Magazine. ☺

News in brief

HTO director Charles Vinick is now Chief Executive Officer, Foundation for Santa Barbara City College...Grant consultant Stephanie Jamgochian, who raised funds as a grant writer for the Santa Barbara Museum of Natural History before starting her own consulting business, is now busily writing grants for HTO – both for the USGS groundwater study (see page 1) and for our organization. With over ten years of experience in writing successful grants, Stephanie has won more than \$2.5 million in grants, with a 82% success rate for non-profits...HTO has gladly contributed funds to keep the portable restrooms (Porta-Potties) in place at Santa Claus Lane, a project organized by Tracy Richardson, Maire Radis and the Santa Barbara chapter of Surfrider...Filmmaker Jim Knowlton, who makes films for Ocean Futures, Santa Barbara, and who made the underwater film of HTO’s video dive on the Goleta Sanitary District outfall that helped win our case (see page 3), is at work making a documentary film about our organization. ☺

HTO team grows



Mike Lodato

Michael W. Lodato, chief marketing officer (CMO) of QAD has joined the Heal the Ocean’s board of directors. Lodato, who leads QAD’s corporate marketing, product marketing, strategic alliances and sales training functions, is an avid surfer who lives near Miramar Beach with his wife, Laura and their daughter Monica. Before moving to Santa Barbara, Lodato served in senior marketing and alliance positions for several high tech corporations, including DigitalThink, Inc. and Siebel Systems, Inc.

Julia Louis-Dreyfus has also joined our team as an honorary board member, dedicated to helping us raise funds as well as sea-awareness. This talented star of “Seinfeld” is dedicated mightily to the ocean, serving not only on Heal the Bay (Santa Monica) board of directors but also working with the Natural Resources Defense Council (NRDC) in Los Angeles. She and her husband, Brad Hall, have a beach home in Montecito. ☺



Julia Louis-Dreyfus

HEAL THE OCEAN'S SEWAGE INVENTORY FOR THE STATE OF CALIFORNIA

When Governor Arnold Schwarzenegger publicly announced his anger at the sad state of California's beaches, together with his intent to form a panel of experts to come up with a new ocean plan to do something about it, Heal the Ocean cheered.

Then we got the news that the top two subjects to be considered by this panel were the dumping/pollution of cruise ships and commercial fishing practices.

To Heal the Ocean the focus on these two problems is akin to ignoring an enormous elephant in the room, so we got busy. We hired Dr. Craig Barilotti of San Diego (the same researcher who helped us from the beginning of the Goleta Sanitary District sewage waiver case), and our direction to Dr. Barilotti was simple. We asked him to do a survey on how much sewage California coastal communities put into the Pacific Ocean, from the Oregon border to San Diego/Tijuana. We asked him to survey the volume of sewage, both gallons and pounds, together with the distance of each sewer outfall from shore.

The following statistics are extracted from Dr. Barilotti's survey, a four-month search of records of the state's Regional Water Quality Control Boards, NPDES permits, NOAA nautical charts, and/or direct telephone contact with discharger or public works departments of the coastal cities involved.

Our survey turned up the following information.

Of the 37 wastewater treatment facilities discharging into the ocean off California, 44 percent of them (17) are discharging into the "surf zone" of the ocean – into waters 50 feet or less. In these areas, the likelihood of contact of sewage to humans recreating in the ocean is not only high, but probable.

In some areas, the sewage is shot into the ocean waves, including 1.9 million gallons per day (mgd) a day in Crescent City and 0.17 mgd in Shelter Cove.

In the Central Coast (Region 3), the Ragged Point Inn dumps .013 mgd of sewage over a cliff!

The 37 ocean outfalls are currently considered as "meeting state standards," because the current California Ocean Plan, which is the basis for the standards, is outdated, and inadequate to protect public health. The Ocean Plan has not been revised to reflect the risks we now know wastewater dis-

charges pose.

Heal the Ocean firmly believes we cannot continue with the old standards when we now know that the die-off, or inactivation, of human viral pathogens in seawater takes days, while the coliform bacteria used in testing for sewage contamination die-off is several hours. The bacteria standard may provide plant operators with a measure of plant performance, but is an inadequate indicator of contamination or risk to ocean users.

are combined storm drains (CSOs), large pulses of stormwater enter the sewerage system due to infiltration and inflow (I&I), and present human risks during rainy periods that are not present during dry periods due to wastewater systems being overwhelmed. The CSOs present a risk to both those actually using the water, as well as beach-goers and people on land downwind of the contaminated water, because studies have shown that infection is possible by breathing pathogens present in aerosols.


Building tertiary treatment plants, or adding capacity to existing plants to fully treat or store CSOs or I&I flows that are over plant capacity would involve an overlong process of individual site analysis, self-monitoring report review, hearings and perhaps cost feasibility studies on a case by case basis. Heal the Ocean believes that any panel considering a new Ocean Plan for the state of California should put this problem on its agenda for study.

In the meantime, to solve an immediate health threat to ocean users without adding a cost to the state of California (the minimal financial burden would be on the users of the wastewater facilities), wastewater treatment plants discharging into the shallow zone of the Pacific Ocean off California should be required to install longer sewer outfalls or storage to handle over-capacity flows during wet weather periods.

These statistics, in relation to the WHO information, indicate that 10 California wastewater discharges pose a high public health risk, 22 a medium risk, 3 a low risk, and 2 a very low risk. By most

standards – especially for those who assume they can use the ocean of California without getting sick – these results are unacceptable.

As you read this, Heal the Ocean is working on bringing change to this situation. We believe that California coastal communities do not own the Pacific Ocean as their private disposal field, and that the time has come to bring practical and technological advances to wastewater treatment. We have conducted cost/feasibility studies for tertiary treatment as well as for sewer outfall extension. Both are affordable – less than most people pay for cable television.

This survey will soon be posted on our website, www.healtheocean.org. Stay tuned. 

Total volume of sewage per day from California coastal communities directly into the ocean is 1.4 trillion gallons per day, as follows:			
	Millions of gallons per day		
North Coast (Mendocino to Crescent City)	10		
San Francisco Region	27		
Central Coast (Santa Cruz to Carpinteria)	77		
Los Angeles Region (Oxnard to Terminal Island (incl. Avalon & San Clemente islands))	687		
Orange County	368		
San Diego Region	286		
Total mass solids (sewage sludge) deposited into the Pacific Ocean per day from California coastal communities is 48.2 billion tons per year, as follows:			
	Millions of tons per year		
North Coast (Mendocino to Crescent City)	209		
San Francisco Region	561		
Central Coast (Santa Cruz to Carpinteria)	1,180		
Los Angeles Region (Oxnard to Terminal Island (incl. Avalon & San Clemente islands))	16,000		
Orange County	17,000		
San Diego Region	13,000		
The following short outfalls deposit secondary-treated sewage into the inshore, recreational zone of the ocean off California			
	Distance from shore	Depth of Water	
Crescent City	1.9 mgd	Into waves	0'
Arcata	1.7 mgd	Marsh channel (tide takes it out)	2'
Eureka	5.2 mgd	4,100 ft.	22'
Shelter Cove	0.17 mgd	Into waves	0'
Fort Bragg	1.3 mgd	650 ft.	27'
Daly City	6.8 mgd	2,500 ft.	32'
Half Moon Bay	2.2 mgd	1,900 ft.	37'
Carmel/Pebble Beach	1.6 mgd	600 ft.	35'
Ragged Point Inn	.013 mgd	Cliff discharge	0'
San Simeon	05-.1 mgd	600 ft.	20'
Avila/Port San Luis	.03 mgd	2,240 ft.	29'
Montecito	1.0 mgd	1,550 ft.	22'
Summerland	0.15 mgd	740 ft.	19'
Carpinteria	1.7 mgd	1,000 ft.	25'
Almost 24 million gallons per day of sewage goes into the ocean off California daily in 20 to 30 ft. of water or less, at a distance less than a mile from the shore.			

Barilotti also included in his work a recent World Health Organization (WHO) analysis that provides a simple qualitative chart of health risks related to different degrees of sewage treatment and types of discharges. This chart indicates that tertiary wastewater poses very low risks to humans, even with short outfalls (those discharging into body contact areas). And sewer outfalls extended beyond the shallow, inshore "recreational" zone – where people swim, surf or dive – to a minimum of a mile offshore, and/or a minimum depth of 60 feet of water, very low health risks can also be obtained if designed for local ocean conditions and the amount of sewage discharged.

Areas such as San Francisco, where there

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L to R: Hillary Hauser, Jack Johnson, Kim Johnson, and HTO fundraising chair Laura Lodato at Jack Johnson's concert at the Santa Barbara Bowl. Jack and Kim donated their entire proceeds from this concert to HTO!
(Santa Barbara News-Press photo by Lorraine D. Wilson).

OUR HEROES!

Jack & Kim Johnson

Thank you – again!
from all of us at

HEAL THE OCEAN



Heal the Ocean is working not only for all of us, but for our next generations. Please join now!