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Commissioners and Alternates of the California Coastal Commission
cc: Tom Luster, San Francisco CCC office
Dan Carl, Central Coast District Office

Re: Agenda Item for Dec. 9, 2011

12. **FEDERAL CONSISTENCY**

c. [CD-047-11 \(Corps of Engineers, San Luis Obispo Co.\)](#) Consistency determination by Corps of Engineers for geophysical and geotechnical testing to determine feasibility of site for subsurface desalination intake and/or outfall, at Santa Rosa State Beach and Shamel County Park in Cambria, San Luis Obispo County. (TL-SF)

I request that you vote No on the Motion recommended by the Staff on p. 16 of this item.

Dear Commissioners:

The staff of California Coastal Commission provides careful, extensive, and excellent analysis of the consistency determination submitted by the Army Corps of Engineers for the proposed geophysical and geotechnical testing in Cambria. However, I ask that you vote No on the Motion for the following reasons.

1. The testing described by the Corps is not structured to provide data adequate to determine the feasibility of the Santa Rosa Creek beach for a proposed desalination plant. Evaluating this feasibility is the only reason to do the testing. The described means will not achieve the end.

2. The testing described by the Corps is not structured to provide data for the possible effects of intake and output from pipes leading to and from a desalination plant near Santa Rosa Creek and Shamel Park. Neither is this data gathering included in the EIS/EIR of the proposed desalination plant currently being written by consultants.

The “Final Program-Level EIR for the CCSD Water Master Plan”¹ did not designate a site for a desalination plant, yet it claimed to find any proposed plant environmentally defensible.

In my response to the “Draft Joint Environmental Assessment and Initial Study/Mitigated Negative Declaration for Geotechnical/Geophysical Research

Investigation Study at Cambria, San Luis Obispo County, California,” May 2011, I cited the Corps’ federal “Procedures for Implementing NEPA” --

“6. Actions normally requiring an EIS are: a. Feasibility reports for authorization and construction of major projects....”ⁱⁱ

Performing only an Environmental Assessment of the Geotechnical/Geophysical Research ignores this important Procedure in official Army Corps of Engineers requirements or implicitly claims an (unnamed) abnormal situation. Submitting the consistency determination without an EIS also ignores the Regulation.

3. Using the MHTL to define environmental impact of this geotechnical and hydrogeological testing is naïve. In my June 2011 comments I wrote, “Nowhere in the EA/IS is it made clear why the researchers will use the MHTL as the western boundary of the natural preserve for purposes of assessment of impact on the environment, including ecosystems.”

“On p. 5 we read this sentence, ‘Geophysical data collection work will be conducted seaward from the MHTL in areas that **may be contiguous** with the inland State Parks natural preserve boundary to avoid encroachment onto the preserve area’ (emphasis added). This sentence suggests that the researchers’ knowledge of the boundary is ambiguous.

“Is the MHTL a boundary of environmental impact of activities? If so, what evidence supports the claim? Or, is choosing the MHTL strictly a legal matter with no attention to environmental and ecological consequences of the choice?” These questions definitely pertain to the consistency determination too.

4. Environmental analysis by the Corps uses an approach that considers plants and animals as if each species were autonomous mechanisms. Marine scientists at an international conference in Spain in 2006 developed an analysis of beach investigation. The lead author of the report, Thomas A. Schlacher, and the others wrote:

Beach management often focuses only on the physical attributes and processes of beaches, particularly those related to managing sand budgets and the stability of the shoreline.... In contrast, conservation of ecological features and processes does, in many cases, not form part of routine beach management. Consequently, the impacts on ecosystems are rarely included in impact assessment.ⁱⁱⁱ

Evaluating the geotechnical and hydrogeological testing should include analysis of the ecosystems comprised cooperatively and specifically by
Santa Rosa Creek Natural Preserve,
Hearst San Simeon State Park,

Shamel Park and Beach,
Cambria State Marine Park,
Monterey Bay National Marine Sanctuary, and
the geologically distinctive Cambria Slab, to name only major systems.

The Army Corps of Engineers' consistency determination does not do such analysis.

5. I certainly support scientific research in general. However, the merits of each proposed project must be evaluated not only with the criteria of specific disciplines of engineering, hydrology, and geology. The disciplines of economics, ecology, and ethics are integral to adequate evaluation. Mitigation of negative effects on the environment is sometimes plausible. Stipulated conditions can reduce the ambiguity of insufficiently planned or mechanically invasive tests. But when the site involves protected areas such as those mentioned above, intrusive testing should be precluded from the outset. Major decisions of social policy have already been made to protect and maintain natural resources.

6. Planning for a desalination plant has taken place in Cambria since 1994. The guiding rubric has been "Provide water to meet growing demand." The Board of Directors of the Cambria Community Services District took action in 2003 and 2008 to approve a 50% increase in the standard of water use, from 12 to 18 units bimonthly. This was to improve "the quality of life" and a major reason for proposing a desalination plant.

However, use of water has steadily declined over the past decade. According to the CCSD's account^{iv} water production in 2002 was 809.43 acre-feet. In 2007 it was 748.18 acre-feet, and in 2010 it was 672.41 acre-feet. Water use in Cambria now comes near to the standard required by the state of California by 2015 to conserve water.^v

For eight years I have been a member of the Commission's Adopt-a- Beach and Coastal Stewardship programs. For the past two years I have been a volunteer at Shamel Park and beach. The complexity of the ecosystems here amazes me. At the Cambria Grammar School (where I volunteer two days a week), I talked last week with 4th graders about phytoplankton, zooplankton, oxygen, carbon dioxide, krill, barnacles, and baleen whales. Then I asked them whether they thought "Sheldon" Plankton, Mr. Krab's arch-rival in SpongeBob SquarePants, was appropriately named. What a conversation!

Conversations each week with all the 1st graders about treasures from the beach, the forest, and other embracing eco-systems give me great hope that the next generations will no longer view nature as an infinite pile of resources for human domination and consumption.

I request that you vote no on the resolution.

Sincerely,

Elizabeth Bettenhausen

cc: Tom Luster, San Francisco CCC office
Dan Carl, Central Coast District CCC Office
Nick Franco, Superintendent, Hearst San Simeon State Park

ⁱ http://www.cambriacsd.org/cm/water_wastewater/Water%20Master%20Plan.html

ⁱⁱ Department of the Army, U.S. Army Corps of Engineers' CECW-RE, Regulation No 200-2-2; 4 March 1988; Environmental Quality, Procedures for Implementing NEPA.

ⁱⁱⁱ "Sandy beach ecosystems: key features, sampling issues, management challenges, and climate change impacts" in Marine Ecology 29 (Suppl.1) (2008), 81.

^{iv} <http://www.cambriacsd.org/Library/PDFs/WATER%20WASTEWATER/Well%20Level%20Reports/2011%201115%20PRODUCTION.pdf>

^v <http://www.cambriacsd.org/Library/PDFs/BOARD%20OF%20DIRECTORS/AGENDAS/2011/2011%2008%2025%20UWMP%20Water%20Conservation%20Goal%20Setting.pdf>