

Public Comments Oxnard City Council Meeting, May 17, 2022, at 5 pm.

REF: B. APPOINTMENT ITEM 2. Presentation by the Channel Islands Neighborhood Council on Water Quality.

TO:

Oxnard City Clerk
Mayor John Zarragosa
Mayor Pro Tem Bryan Mac Donald
Bert E. Perello, Councilmember, District 1
Gabe Teran, Councilmember, District 2
Oscar Madrigal, Councilmember, District 3
Gabriela Basua, Councilwoman, District 5
Vianey Lopez, Councilmember, District 6

CC:

City Manager Alexander Nguyen

FROM: Debbie Mitchell
VP Channel Islands Waterfront Homeowners
Association (CIWHA) Representing
Homeowners in Mandalay.

Dear Mayor Zaragosa, City Council and Staff

Thank you for this important agenda item and taking the time to receive comments.

Channel Islands Harbor offers recreational opportunities for residents and visitors alike from boating, kayaking, swimming, fishing, dining, shopping, picnicking, walking and relaxing in ocean breezes and open space. It is vitally important that all who live, work and visit are not put at risk by our waters and that our waters do not destroy the environment beyond the breakwater.

Funding for the protection of our harbor water is of great importance not only to those who live and work in the harbor but also those who visit the harbor and beyond. The waters in our harbor do not begin at the canal nor do they end at the bridge on Channel Islands Blvd. Our waters begin all over the county and a flow through the harbor to Kiddie beach and beyond to the surrounding beaches and the ocean. The ocean is a vitally important resource to protect and preserve and therefor the condition of all waters from rivers, streams, and harbors that flow to it matter.

This Problem is Not New

The [2003 Coastal Commission Development Plan documentation](#) contains details of concerns for the developments North of the bridge, and also notes issues in the south part of the Harbor managed by the **County** regarding **Water Quality issues and concerns**.
THIS WAS BEFORE THE CLOSURE OF THE POWER PLANT.

Excerpts from 2003 CCC document:

REF: Water Quality Tests April 1999 – May 2003

[ref: see page 231 <https://documents.coastal.ca.gov/reports/2003/7/Th8a-7-2003.pdf>]

More:

“One of the beaches with the highest failure rate is the one existing Kiddie Beach (official name: Channel Islands Beach Park) located just inside the Channel Islands Harbor mouth and fronting the main channel. In each of its past three annual reports, Heal The Bay has identified Kiddie Beach as one of ten most frequently polluted beaches surveyed. Provided as Attachment #2, is a Heal The Bay letter dated February 13, 2003, to the California Coastal Commission regarding pollution problems of enclosed beaches generally and specific concerns about water quality of the Sea bridge shallow bay.”

“On February 4, 2003 (Attachment #3) the State of California Water Quality Control Board adopted a resolution designating the existing Kiddie Beach as an impaired site pursuant to Section 303(d) of the Federal Clean Water Act. It notes that this decision is based on data collected in 1999, 2000 and 2001 showing bacteria exceeded State standards in 54 of 99 water samples. On the same date and in the entire Channel Islands Harbor was designated as a Section 303(d) site due to the presence of lead and zinc in sediment.”

“Attachment #4 is a letter to the City regarding the Sea bridge project from the Environmental Health Division of the Resource Management Agency of Ventura County dated March 18, 2002. It states the known experience in Ventura County and elsewhere that swimming beaches in enclosed harbors “have a history of not meeting bacterial water quality standards”

Though awareness was raised to potential problem, plans were inadequate by today’s standards, agreements expired without examination of consequences, and agricultural waivers for testing and reporting runoff have been granted year after year. The County has funded studies south of the Channel Islands bridge but they have not contributed to monitoring and mitigation efforts or agency outreach.

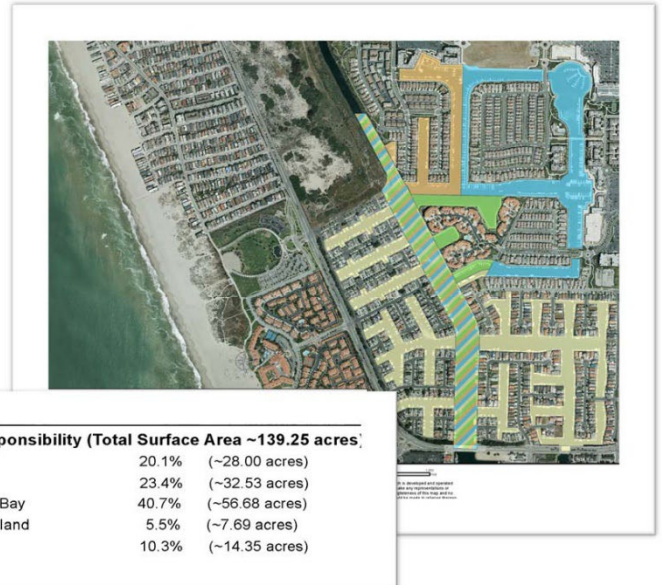
The closure of the Mandalay Plant was widely seen as an improvement to the environment, while bringing to the forefront a brewing environmental problem with water quality in the harbor.

The closure of the once through cooling plant did not cause the pollution that led to the algal bloom. The closure of the plant stopped circulation from the north end of the harbor to the south. The decrease in circulation results in increasing “residence times” of pollutants, reducing of oxygen – creating a breeding ground for harmful bacteria and algal blooms that can cause significant public health, economic and ecological problems. Prior to the closure we were steadily washing pollutants and bacteria into the harbor and the ocean - and we still are!

There is a cost to cleaning this up!

In 2018 following the first Algal bloom, CINC and the City of Oxnard calculated our waterways to determine water quality maintenance cost allocations due to the powerplant pump shutdown. See document: [\[CLICK FOR PDF \]](#)

Image is from 2018 document



Excerpt: 2018 Document Comments from the 4 CINC Member HOAs:

*“The MAC committee will not object to the proposed distribution of charges for harbor water sampling/analysis (\$88k) among the four HOAs and the City. If Center Point Energy or the County or VCAILG (farmers) were to contribute funds, the HOA contributions would be reduced proportionately. CINC / MAC notes that **this cost allocation for this sensor monitoring, specifically does not constitute an agreement for any future charges, nor does it constitute a waiver of Seabridge or Westport rights or City/County obligations to pay for an Updated Harbor Water Quality Study as provided in the MOUs.**”*

“In Regards to Mandalay Bay HOA and Harbour Island HOA, they do not have MOUs(Memorandum of Understanding) but each of their Boards would agree to this one-time expense. It violates agreements from the past and they do not agree with the methodology for allotment of payment percentages on a go forward basis.”

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Our HOA (Mandalay Bay) continues to disagree with the methodology of percentage based on square footage of channel surface area. This methodology does NOT consider contributing pollutants, boat density, agreements, roles, or responsibility at various governmental, environmental and municipal levels.

WE WANT A FAIR DISTRIBUTION OF RESPONSIBILITY & EXPENSES

- All Stakeholders should share costs for the water quality monitoring and the mitigation of pollution.
- Stakeholders should not be limited to homeowners and the City of Oxnard but should include all sources of pollutants and the agencies that oversee them.
- The County and the State have a responsibility to support efforts that protect the public and the environment.

WHAT WE WANT

The oversight, effort and costs of water quality monitoring and mitigation should be equitably shared by all stakeholders.

Stakeholders should include but not be limited to:

- State and Regional Water Boards
- State EPA
- State and Federal Clean Water grants, etc.
- Ventura County Watershed Protection District
- Ventura County Farm Bureau
- City of Oxnard,
- City of Port Hueneme,
- NRG or the NEW owners of Mandalay Generating Station
- CenterPoint Energy (owners of Edison Canal)
- All Channel Islands Harbor marinas, boat yards, fuel dock
- All Channel Islands Harbor Businesses
- All Channel Islands Harbor Homeowners & Residents

A fair and equitable calculation of responsibility should be agreed upon, established, and enforced.

Thank you for your time and support!

Debbie Mitchell – Resident Oxnard – in Mandalay Bay
VP Channel Islands Waterfront Homeowners Association

