

Dana Swanson

5/10/16 meeting
Agenda Item A-5

From: Lynda Merrill [REDACTED]
Sent: Monday, May 09, 2016 10:38 AM
To: Council
Subject: May 10th Agenda item A-5

RECEIVED
City of Morro Bay

MAY - 9 2016

Administration

Dear Mayor, Council and staff,

Agenda item A-5

Please read the 'Background', a partial understanding of the history of the property. The City bought this property, then sold it at a loss and now has rebought it. When government tries to act like a private business there is always a loss to us the tax payers. As you can see this is not a good idea for the citizens, someone one has made a lot of money off of these 'deals', the Real Estate agents? The bank? So far the citizens have lost.

Please, plan to put this property up for sale and get us out of this bad investment.

(Could someone think about how many miles of repaved streets we could have had with \$2,700,000 since June 2003?, we are all asking the question, 'what happens to the money in our City?', here is an example. Now, we are being asked to borrow more money to pave the streets! No wonder people reject government, can't stand to be involved, dislike trying to support improvement.

Lynda Merrill
[REDACTED]

5/10/16 Meeting
Agenda Item C-2

Dana Swanson

From: GARY KURIS [REDACTED]
Sent: Tuesday, May 10, 2016 2:38 PM
To: Dana Swanson; Dana Swanson
Subject: CORRESPONDENCE, City Council Agenda, May 10, 2016

RECEIVED
City of Morro Bay

MAY 10 2016

Administration

Dear Dana Swanson:

I've been reading through the correspondence posted on the city's website relating to tonight's council meeting. Just for the record, I'd appreciate having my own letter, sent April 30, and responded to by council members Johnson, Hedding, and Smukler, included with the others. I attach a copy herewith and hope there's time for it to be included.

Thank you.

Gary Kuris

April 30, 2016

TO: Morro Bay City Council
FROM: Gary Kuris

The latest report from the Rickenbach team to the WRFCAC, which recommends Tri-W as the preferred site for the waste-treatment plant, came as welcome news. I'm writing to urge you to accept the recommendation, which is a clear win-win solution that should leave all parties happy. (Except, perhaps, the land-use lawyers, who've been licking their chops at the prospect of a nice, interminable lawsuit.)

I hope we can now put divisiveness aside and channel our energies into a plan that preserves the Righetti Ranch as a greenbelt in perpetuity. That's something everyone in town can agree on.

Respectfully,

Gary Kuris
[REDACTED]

Morro Bay, CA 93442

Dana Swanson

5/10/16 Meeting
Agenda Item Q-2

RECEIVED

City of Morro Bay

From: Donna Burke [REDACTED]
Sent: Tuesday, May 10, 2016 11:43 AM
To: Council; Dana Swanson
Subject: WRF Not at Righetti / Yes at Tri-W
Attachments: 5-10-16 M.B. City Council.docx

MAY 10 2016

Administration

Please see my attached letter for correspondence to be included with the 5/10/16 City Council Meeting.

Thank you. Sincerely,

Donna Burke

City Council Meeting 5/10/16

Item C-2: Update on Potential WRF Sites and Public Outreach Efforts

Dear Honorable Mayor Irons and Morro Bay City Council Members
Headding, Johnson, Makowetski, and Smukler:

My name is Donna Burke and I'm a resident of north Morro Bay. I am strongly opposed to the Righetti location for the WRF. It is incompatible to have an industrial site in such close proximity to an existing neighborhood that has 424 homes within 2,000 feet. On top of noise, light pollution, odor, property devaluation, visual and traffic problems, there are toxic pollution/safety hazards at WRF's. Please refer to the letter I sent you on 4/29/16 for details on many WRF's that have exploded in the last several years, including the one at Santa Paula, due to the methane and other flammable gases they produce. It is certainly not safe to have an industrial WRF so close to our residential homes.

I am in favor of following the advise of the WRFCAC Committee and placing the WRF at the Tri-W location. It makes sense! The cities "other goals" which can include a corp. yard, solar field, administrative building, desalination plant, etc. can be built there and this will completely offset any additional costs compared to the sites in the Morro Valley. And one of the Tri-W sites may be able to avoid the Clean Waters Act altogether. In addition, and most importantly, Tri-W is not near a residential neighborhood and not jeopardizing the safety of its residents. I urge you to recommend Tri-W for the WRF site.

Thank you. Respectfully Yours,

Donna Burke

Donna Burke

5/10/16 Meeting
Agenda Item C-2

Dana Swanson

From: Tina Metzger [REDACTED]
Sent: Tuesday, May 10, 2016 11:36 AM
To: Council
Cc: Dana Swanson
Subject: Letter to Council: Agenda Item C-2
Attachments: MetzgerMBAletterMay10.pdf

RECEIVED
City of Morro Bay

MAY 10 2016

Administration

Dear Members of the City Council of Morro Bay:

Please see my attached letter concerning the May 10, 2016 Council Agenda Item C-2 Update on Potential Water Reclamation Facilities Sites and Public Outreach Efforts.

Thank you,
Tina Metzger

May 10, 2016

City Council
City of Morro Bay
595 Harbor Street
Morro Bay, CA 93442

RE: City Council Meeting, May 10, 2016, Agenda Item C-2: Update on Potential Water Reclamation Facilities Sites and Public Outreach Efforts

Dear Mayor Irons and Council Members Johnson, Makowetski, Smukler, and Headding:

This letter is in support of the wisdom and intelligence of the members of the Water Reclamation Facility Citizen Advisory Committee's (WRFCAC) May 3, 2016, Recommendation to Council to take the Righetti site off the list of possible sites for the new Water Reclamation Facility (WRF) Project (6-2 vote); and to move forward with the Staff Recommendation (April 29, 2016) to select the Tri-W site.

The Righetti site is not a viable option for the WRF Project, and it never will be.
There are too many 'Fatal Flaws' with the Righetti site.

Fatal Flaw # 1.

Every neighborhood in Morro Bay would fight the WRF sewage plant industrial development if it were proposed next to their homes. Each of you Council members would fight the WRF sewage plant industrial development, if it were proposed next to YOUR homes. The WRF is a radically incompatible land use next to the many homes in the adjacent single-family R-1 subdivisions. Land use case law supports us in our fight against the WRF Project incompatible land use. Zoning codes exist to prevent such incompatible land uses next to, or near each other, for reasons of health and safety, and nuisance issues.

Fatal Flaw # 2.

In addition to the problems with visual impacts, odors, noise, night lighting, and the detrimental effect on property values and quality of life, the proposed sewage plant industrial development of the Righetti property will have serious health and safety issues for our area of town. The serpentinite bedrock on the Righetti property contains Naturally-Occurring Asbestos (NOA). There would be no effective way to control the asbestos fibers released during the massive site grading and large area of construction. Because of the prevailing high winds from the east (at night), and the afternoon prevailing high winds

from the northwest (the Morro Valley is a major air stream), there would be no effective way to comply with the California Environmental Protection Agency (EPA) Regulations for Asbestos Airborne Toxic Control Measures for Construction and Grading on Areas Greater Than One (1) Acre (see Section 93105).

Fatal Flaw # 3.

The exhaust from all of the diesel trucks and heavy equipment during construction on site, and on Hwy 41 and at the intersection of Main Street/Hwy 41, will drastically affect the air quality of the area. During the life of the project, the many diesel trucks needed daily to transport the sewage sludge to a Santa Maria licensed receiver will also daily degrade air quality, as will the many diesel trucks on their way south to a landfill with all the things people flush down the toilet and are screened out of the waste stream – tampons, paper, plastics, etc. The portable toilets emptied outdoors at the Righetti WRF sewage treatment plant will have to be transported to and from the WRF site by huge diesel trucks, and those trucks will also degrade air quality. Think of the MB High School students affected, in addition to the families in the neighborhoods near the proposed WRF site at Righetti. Consider the currently congested traffic problems at Hwy 41 and Main Street and at the on/off ramps of Hwy 1, and add the many diesel trucks to what is already a traffic problem area.

Fatal Flaw # 4.

The development of the proposed WRF Project at the Righetti site is inconsistent with Local Coastal Plan (LCP) Policies and would result in highly visible large industrial facilities in violation of **LCP Chapter 10 Visual and Scenic Resources**, particularly **Policy 2** (Site Selection for New Development), **Policy 4** (New Development in Rural Areas), and **Policy 5** (Landform Alterations).

Fatal Flaw # 5.

The combined efforts for planning, design, permitting and construction of a project at the Righetti site is expected to take approximately ten years (source: Dudek, Alternative Sites Evaluation, November 2011). That assessment by Dudek, in 2011, did not take into account the long and expensive fight by property owners in the neighborhoods adjacent to the site. We will **never** allow such a noxious sewage plant industrial development to be built next to our homes and families. It will be extremely fiscally irresponsible of the Council to ignore this fact.

Fatal Flaw # 6.

The number of Regulatory Agencies, Regulatory Permits, Authorizations, and Approvals, concerning the WRF sewage plant development of the Righetti site, is overwhelming and too long to list here. The May 5, 2016, Report to City Council on Potential WRF Sites by Rickenbach Consulting, does not begin to address this important time and money issue. In the Dudek Report of November 2011, nine regulatory agencies are listed that have to be dealt with, and 14 regulatory permits, authorizations, or approvals are required for the development of the Righetti site.

Finally, listen to your WRF Project stakeholders; understand and respect the health of the community, and respect the vested interests of property owners, families and school children. **Above all, uphold your oath “to the preservation and enhancement of the quality of life” in Morro Bay.** This does not mean the enhancement of the quality of life in only your neighborhood, where each of you Council members live, but all of Morro Bay.

I respectfully request that you respond to the many Morro Bay citizens who have voiced their serious concerns with the Righetti site for the WRF. I respectfully request that you respond to the members of the WRFCAC in their thoughtful and intelligent May 3rd Recommendations to Council. **Remove the Righetti property from the City’s list of WRF sites tonight, once and for all.**

Sincerely,

Tina Metzger

[REDACTED]

Morro Bay

MAY 10 2016

Administration

May 5, 2016

Dear MB City Council,

The decision to choose a site for the new Waste Water Treatment Facility for the city of Morro Bay is on the your agenda for May 10, 2016. I have attended meetings for the past 3 years and recently accompanied the city council members and WRFCAC on a tour of the facilities in Fillmore and Santa Paula. We have been told repeatedly that the undesirable effects of a plant within 600 feet of our homes can be engineered in such a way that they will exist only in our imaginations.

At the two plants we visited on April 28, odor and noise were present from the parking lots. We also learned that Fillmore did not construct all of the enclosures they had intended to *because of cost*. At Fillmore, there were attempts to blame some of odor on the arrival of portable toilets that were emptied outdoors. We were told that the plant was not designed to accept these deliveries, but they were permitted to occur because of demand. It is far more likely that the odors were those normally produced at the plant.

Santa Paula's facility was more enclosed, but many of the large doors that enclose the working parts were open on the day we visited. Opening the doors made for better working conditions for the employees as the noise and odors were less concentrated with the doors open. The most positive feature of these plants was their location, in industrial parks, where there was less need to protect neighbors.

Waste water treatment, water reclamation, a corporation yard, and any of the other uses the city is considering are not acceptable at Righetti, located so close to a residential neighborhood. Even if the noise and odor could be minimized by some yet unknown technology – what would that cost? And when that mitigation is determined to cost too much – we should all fear we will not have the protection that was promised. Relatively inexpensive enclosure buildings will be eliminated as they were in Fillmore. This deletion of mitigation measures could occur when the plant would be well under construction with no remedy!

It is unlikely that a completely enclosed, odorless, quiet, and visually attractive plant can be constructed at an affordable cost; therefore the only way to mitigate effects on neighbors is to choose a location that is at a distance from where people live. The neighbors of Righetti are not the ones responsible for a delay of a vote by you on May 10th. Do not be afraid to listen to the concerns of citizens and to the advice of the WRFCAC. The Tri-W site is a location that has support and should be thoroughly investigated. Be aware that protests and appeals will continue if Righetti is chosen as the preferred site and environmental studies are begun.

Sincerely,

Alice Kolb

Dana Swanson

5/10/16 meeting
Agenda Item C-2
RECEIVED
City of Morro Bay

From: Hemalata C. Dandekar [REDACTED]
Sent: Monday, May 09, 2016 4:47 PM
To: Council; Jamie Irons; Christine Johnson; Matt Makowetski; John Headding; Noah Smukler
Cc: Vicente del Rio
Subject: May 10, 2016 Council Meeting public comment
Attachments: Morro BayCity Council Meeting Tuesday.pdf

MAY - 9 2016
Administration

City Council Meeting Tuesday, May 10, 2016

Public Comment on: Item C-2: Update on Potential Water Reclamation Facilities Sites and Public Outreach Efforts

Dear Mayor Irons and Council Members Headding, Johnson, Makowetski and Smukler:

Thank you for this opportunity to address you on the issue of potential location of a new water reclamation facilities site (Item C-2 May 10 Agenda). This is a complex issue of long term significance for the City of Morro Bay, and, given its importance, your taking into consideration all perspectives on this decision are much appreciated.

In Spring Quarter of 2014 it was my privilege to be one of two instructors of record for a Cal Poly City and Regional Planning Graduate Studio that developed a report titled "*Visions for Embarcadero North*" which was presented to the City Planning Commission in June 2014.

The analysis and the recommendations outlined in the report recognize the importance of California Highway 41 (Atascadero Road) as a major connector to the Central Valley and its continuation to Yosemite National Park (pg. 43). This connector was seen to have great potential as a scenic, "green" corridor into the city, one, that could be developed to offer a memorable gateway into the northern end of Morro Bay's beachfront.

Guidelines for physical improvement on either side of the road as it entered the city outlined a clear intent to underscore a transition from scenic, green-space to an urban, energized amenity-laden, corridor which welcomed visitors to the city. The site under current consideration for an extensive water reclamation facility will be hard put to communicate this aesthetic. The concern is that a crucial transition point from countryside to city approaching from the east on Highway 41 will be marred by industrial plant structures that will mar the scenic quality of the entry to the city.

The location decision will impact how Morro Bay will present itself in the next fifty years or more to visitors and tourists the city seeks to attract from the Valley and beyond. A location less immediate to the city, much further away from this major agricultural scenic corridor, would be well worth considering for the long-term quality of life that will be enjoyed by both visitors and residents of your beautiful and scenic city.

Respectfully,

Hemalata C. Dandekar

Hemalata C. Dandekar, Ph.D.

Professor and Head

Department of City and Regional Planning

College of Architecture and Environmental Design

California Polytechnic State University

1 Grand Avenue, San Luis Obispo

CA 93407-0283



City Council Meeting Tuesday, May 10, 2016

Public Comment on: Item C-2: Update on Potential Water Reclamation Facilities Sites and Public Outreach Efforts

Dear Mayor Irons and Council Members Headding, Johnson, Makowetski and Smukler:

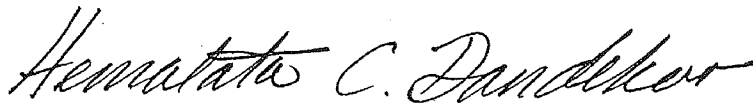
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Guidelines for physical improvement on either side of the road as it entered the city outlined a clear intent to underscore a transition from scenic, green-space to an urban, energized amenity-laden, corridor which welcomed visitors to the city. The site under current consideration for an extensive water reclamation facility will be hard put to communicate this aesthetic. The concern is that a crucial transition point from countryside to city approaching from the east on Highway 41 will be marred by industrial plant structures that will mar the scenic quality of the entry to the city.

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Respectfully,

A handwritten signature in black ink, reading "Hemalata C. Dandekar". The signature is written in a cursive, flowing style.

Hemalata C. Dandekar

Dana Swanson

MAY - 9 2016

From: Bobby Wheeler <[REDACTED]>
Sent: Monday, May 09, 2016 3:38 PM
To: Council
Cc: yair.chaver@costal.ca.gov; bgibson@co.slo.ca.us; [REDACTED]
Subject: Proposed Sewage Treatment Plant

Administration

5/10/16 Meeting
Agenda Item C2

Honorable Council Members,

We are long time property owners in Morro Bay, and we strongly object to the proposal of the Righetti Ranch for the sewage treatment plant and industrial development. The reasons we object to this site are as follows:

This area is beautiful and a prime agricultural region which should not be used resulting in diminish agricultural growth where superior climate exists for crops.

The area is on Hwy. 41 which is a well traveled Hwy. into our unique city. A sewage treatment plant and solar farm would diminish the first impression visitors get.

To have a sewage treatment plant and composting of sewage residual solids would create extremely offensive odors that would be carried by the winds to surrounding residences causing property values to decline. These odors are not always present, but they always do arise and the transporting of the solids are a disgusting experience to anyone having to follow those trucks. This would definitely affect the quality of life we have enjoyed and expect in beautiful Morro Bay.

The additional traffic on Hwy. 41 for the City vehicles, and heavy equipment would impact the flow of traffic going to and from Atascadero and beyond. This is a small two-lane Hwy. which cannot afford this additional traffic.

The proposed solar farm is the biggest boondoggle of all. Solar does not support itself, but relies on subsidies from the taxpayers. The lie that solar will run the sewage treatment plant is false. The amount of power required will not be able to be found in a solar farm. Remember that Morro Bay is subject to heavy fog, not full sun like San Luis Obispo. To waste our taxes on a investment that does not have a payback for 20 yrs. or more, before which the panels would have to be replaced, is criminal.

To have industrial facilities in an established residential area is offensive to all the property owners who have bought and paid taxes. This would again reduce our property values.

The Righetti Ranch must not be the area for such an offensive development. Please reconsider and change the site to one of the other proposed areas not in residential zones.

Respectfully yours,

Bobby and Darlene Wheeler
[REDACTED]

Dana Swanson

RECEIVED
City of Morro Bay

MAY - 9 2016

From: Tom DeWitt [REDACTED]
Sent: Monday, May 09, 2016 2:58 PM
To: Council
Cc: yair.chaver@coastal.ca.gov; bgibson@co.slo.ca.us; [REDACTED]
Subject: Righetti site

Administration

5/10/16 Meeting
Agenda Item C-2

Dear Council Members,

Thank you for the opportunity to be heard on the matter of the proposed waste water treatment plant, specifically the status of the so-called "Righetti" site.

As you may be aware, our company built the Morro Del Mar Village Townhomes, which we are now in the process of selling. These townhomes are approximately 2,000 feet west of the Righetti site, and are severely impacted by the possible location of the treatment plant. I would point out, that in the course of development and construction, our company paid in excess of \$300,000 in various fees to the City and MB School District.

I can tell you that recent newspaper stories about the proposed plant have caused at least one well qualified prospect to break off purchase negotiations over concerns for their investment should the plant be built at the Righetti site. Furthermore, one existing owner who is a full time Morro del Mar resident was surprised to learn that we were not aware and did not mention the proposed site to prospective buyers and this is because we have not been properly notified of this proposal.

The possibility of the Righetti site is not a good idea for several reasons. In addition to the likely effect on the property values and quality of life for the nearby property owners, the concept of adding a maintenance yard at this location simply makes a bad idea even worse. The traffic along this stretch of Hwy 41 is already very heavy and creates substantial exhaust and road noise. As a side note, the MBPD should be directed to immediately begin monitoring the speed of vehicles along Hwy 41 around Ironwood Av. The speeding is rampant, dangerous and disturbing to all living along this road. Adding the flow of City cars and trucks along this route will obviously make the traffic situation even worse.

All of the above issues will be moot if the Council votes to follow the recommendation of the Water Reclamation Facility Citizen Advisory Committee (WRFCAC) to remove the Righetti site from the city's list of alternate sites under consideration.

I strongly urge the council to take this action without delay. If the Righetti site is unlikely to ever survive the process of selection, why not remove it immediately? By doing so, it sends a clear signal that the council listens to their own Advisory Committee.

Taking action now will relieve nearby private home owners of substantial worry, and allow those of us who have made a substantial investment in the economy of Morro Bay the opportunity to conduct our business without this detraction hanging over our head for months or (years?) to come.

Thank you again for your time.

Best regards,

Thomas A. DeWitt
Managing Member
Morro del Mar Properties, LLC

Dana Swanson

5/10/16 meeting
Agenda Item E-2

From: William Todd <[REDACTED]>
Sent: Monday, May 09, 2016 10:13 AM
To: Council
Subject: Rhighetti Property

RECEIVED
City of Morro Bay

MAY - 9 2016

Administration

Good Day,

My name is William Todd and my family and I are 23 year residents and 17 yr business owners in Morro Bay. WE LOVE OUR TOWN!

We live on the ridge on top of a mountain in a very isolated Cul-de sac [REDACTED] We don't even get trick or treater's during Halloween due to the grade of the streets. We have some incredible unblocked views of the coastline and ocean

Recently we were advised by our neighbors-NOT the city, that there had been a change in the location of our waste water treatment facility (WWTF) to the Rhighetti Property at the bottom of the hill [REDACTED] from our home!

I am not involved in the day to day workings of our city council, I know I should be more involved especially after this business with the WWTF.

Our property value is being jeopardized by the proposal to put the plant there, and we may experience odors and additional noise and traffic on an already congested highway 41

I would ask you to ask yourself this question:

IF IT WAS YOUR HOME, how would you feel if 100 potential buyers were lined up to purchase your home and they were told it was 600 feet from a sewage treatment plant. HOW MANY PEOPLE WOULD LEAVE THE LINE?

(Make no mistake about it-There is raw sewage bring treated there)

I know more than I want to know about sewage treatment, and I am sure the council and the residents now are a well educated bunch on sewage. However the point remains that the rest of the population does not have a clue about sewage plants.

We were told it would be odorless and low to little noise, however several of our neighbors went with city council to a few WWTF locations and did comment at our last meeting of residents, that there was in fact-noise and odor.

The committee that is responsible for analyzing locations should be commended for their work in trying to find a suitable location for the plant however [REDACTED] from neighbors is not acceptable since their our other locations that would serve well and have positive attributes as well

Tri-w site has many features that would make it an ideal site for our WWTF.

My business is located across from the tri-w site and I do not have any problem with the city moving it there! My property is commercial as are most of the properties and a freeway separates us from the plant, so noise issues will not be a concern.

Please consider removing the Rhighetti property from your list.

Lets make Tri-w WORK and get the ball rolling

Thank you for your time and efforts in advance

William Todd [REDACTED]



Virus-free. www.avast.com

May 9, 2016

MAY - 9 2016

Subject: Item C-2 of May 10 Morro Bay City Council Agenda
City Council

Administration

We are submitting this letter in support of the recommendations by WRFCAC to:

1. Permanently reject the Righetti Option (Vote was 6 – 2)
2. Move forward on the 4/29/2016 Staff Recommendation to select the Tri-W site (Vote was 6 – 2)

Both the Righetti and La Colina sites would have a demonstrable negative visual impact for visitors traveling to Morro Bay via Hwy 41 as the clear objective is to incorporate the City Goals into this project. The primary reason that the La Colina site was dropped was that it would now not allow for the other objectives such as the Maintenance Yard, composting, etc.

We look forward to reviewing the detail of the estimates as has been requested for over a month. This should be done with at least one WRFCAC representative as well.

The reason for this review is that very possibly, not only is the Tri-W site preferred due to minor if any impact to local residents of any community, it could also be very comparable in cost. And several members of WRFCAC indicated it could be preferred for ultimate City water needs.

As has been noted in previous submittals, a few of the reasons that costs could be very comparable at Tri-W site include:

1. Lower site preparation costs due to a significantly more level site
2. Substantially reduced need for facility aesthetic treatment
3. Other City goals could be achieved at much lower cost and not be a siting consideration
4. The \$2 - \$4M land purchase expenditure could be avoided

Thank you for your consideration of our support to the WRFCAC who have offered up so much of their time.

Sincerely,

Karen & Bart Beckman

[REDACTED] Morro Bay CA 93442

Dana Swanson

5/10/16 meeting
Agenda Item 12

RECEIVED

City of Morro Bay

From: Harold Hilker [REDACTED]
Sent: Monday, May 09, 2016 9:06 AM
To: Council
Cc: Dave Buckingham
Subject: Water Treatment Plant

MAY - 9 2016

Administration

Morro Bay City Council,

I am very disappointed to learn that after two years of study, 3 of the 5 best locations you could come up with are located in the Morro Valley. None of these locations are or should be viable options for a Water Treatment Plant, much less a corporation yard or administration building.

I don't know what percent of Morro Bay's population reside in North Morro Bay, but it's probably around 25%. Any construction project in the Morro Valley, such as the water treatment facility and corporation yard, will not only negatively effect the quality of life during construction with noise and dust pollution, but it will also be an ongoing issue for the future, negatively affecting our property values.

Said project will also cause the students at Morro Bay High School to be subject to air quality, noise and traffic issues as well. Our students and their teachers deserve to be treated better.

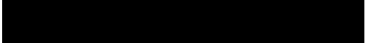
I strongly recommend that you remove all three sites in the Morro Valley along the highway 41 corridor, from further consideration. The fact that any of the 3 sites made it as one of the 5 top potential locations for a water treatment plant, shows poor judgement and an overall lack of consideration for the residents.

I have not seen any communication as to why cooperating with the California Men's Colony, CMC, has been removed from consideration. The excuses I hear are that it's too expensive to pipe affluent to that location, but it's only approximately 3 miles further than the sites in the Morro Valley. The infrastructure that could handle the affluent from the City of Morro Bay is already in place at CMC. They also have sources for the treated water discharge, which will be problematic for the 3 Morro Valley locations as I understand it.

It's about time our elected officials at the city, county and state levels start working together for the people that elected them, not going out and creating redundant facilities. The citizens of Morro Bay can not afford a \$100 million dollar project that could be completed for at least half the cost, if our officials would work together in good faith.

It's unfortunate that I will not be able to make your meeting on Tuesday, May 10th, due to a prior commitment, but will do everything I can to be present at future meetings.

Harold Hilker


Morro Bay, California

Dana Swanson

5/10/16 meeting
agenda Item C-2
RECEIVED
City of Morro Bay

From: Mark Olson [REDACTED]
Sent: Sunday, May 08, 2016 3:28 PM
To: Council; WRFCAC
Cc: Mark Olson; Dana Swanson
Subject: Item C-2 WRF Public Comment & Agenda Correspondence
Attachments: EMAIL 5-8-16 OPPOSITION TO RIGHETTI WRF SITE_Mark Olson_May 10 2016 CC Meeting.pdf

MAY - 9 2016

Administration

Dear City Council,

Please find attached my public comment regarding Item C-2 and the Water Reclamation Facility (WRF) project. This is an 11 page pdf document which I ask you to consider, and please include within the published Agenda Correspondence for the May 10, 2016 City Council meeting.

Best regards,
Mark Olson

[REDACTED]
Sunday May 8, 2016

CC: Dana Swanson, City Clerk

MAY 8, 2016 * CITY COUNCIL 5-10-16 AGENDA CORRESPONDENCE (ITEM C-2 WRF) *

EMAIL STATEMENT OF MARK D. OLSON, J.D., M.A., M.B.A.,
IN OPPOSITION TO THE PROPOSED RIGHETTI SITE
FOR THE MORRO BAY WATER RECLAMATION FACILITY,
AND ITS ASSOCIATED NON-WRF USES

Dear Mayor Irons and Honorable Morro Bay Councilmembers,

In a December 2014 SLO Tribune article, it was reported that Morro Bay's WRF project manager was a "loud voice" for the Rancho Colina site. As a resident at [REDACTED] in Morro Bay, and really only as a passing observer of city business and politics, my first thought was that this sounded reasonable.

In January 2015 the Water Reclamation Facility Citizen's Advisory Committee (WRFCAC) appeared to approve the Rancho Colina site as the optimal and most feasible site. Once again, as an ordinary citizen and resident of Morro Bay, I didn't have reason to doubt that the city was doing the right thing, and I did not read or research the specifics of the WRF process or proposal at the time.

It appears that the owner of the Rancho Colina site was ready to sell to the City the desired land for an 8 acre WRF site. But, in the process of developing a Facility Master Plan for Rancho Colina, the City apparently added numerous non-WRF facilities requiring additional land, including on-site composting, a Corporation Yard, a desalination plant, a solar farm, and a two-story Administration Building. Only then did the Rancho Colina owner appear to have objections, and the City bears the responsibility for failing to obtain a preferred WRF site at that location.

On February 13, 2016, many Morro Bay citizens were surprised when the San Luis Obispo Tribune published an article that the City of Morro Bay had turned away from Rancho Colina and selected the Righetti Ranch as the proposed WRF site, right in our backyards. Particularly alarming was the announcement that the city had rushed into a Memo of Understanding (MOU) committing taxpayer money for an option to purchase the Righetti from Paul Madonna, who controls the land under the Clarice E. Righetti Trust.

The switch of preferred sites does not appear to be based upon Righetti being a better site with minimal visual and environmental impacts as required by the Coastal Commission and applicable law. Rather, the decision was arbitrary and capricious based upon the City's desire to pursue non-WRF uses that are contradictory and mutually exclusive with the selection of the best feasible alternative with minimal negative visual and environmental impacts.

What was particularly alarming about the February 13, 2016 SLO Tribune article were the quotes of WRF Assistant Project Manager John Rickenbach, who was quoted as saying (in writing) that "With the MOU, the city could own the entire property, and control all future activities there." And, particularly troubling was the comment that "There would be no limits on what could be built related to achieving the city's goals."

It appears that the City's goals and objectives are not just to build a Water Reclamation Facility (WRF), but to also build non-WRF facilities based upon a set of vague and ambiguous "mutually

exclusive” goals and objectives. The City appears to be obsessed with these “other goals,” many of which are completely incongruous and incompatible with a safe and environmentally sound WRF. These “other goals” include a noisy and noxious City Corporation Yard for the city's trucks and maintenance, and all other types of activities that often go with these municipal “Corporation Yards,” including being a depository or receiving center for electronic garbage and toxic wastes.

And once this precedent is set, all manners of other annoying and environmentally disturbing activities will be proposed, with the WRF serving as the “open door” for a type of “mission creep” that will pillage the entirety of the 253 acres of Righetti. After all, as the Project Manager John Rickenbach said, “There would be no limits on what could be built related to achieving the city's goals.”

The Righetti Ranch has served Morro Bay as some of the most pristine agricultural land in the Morro Bay area. The Righetti Ranch has been a valuable, unofficial “green belt” that has contributed to Morro Bay's unique quality of life status and reputation as not only a small “coastal community,” but also as a “rural community” that is not encumbered by the blight of unbridled and unfettered industrialization. The allure of Morro Bay for our tourists and our residents is not just that it is a coastal community, but that it is also a rural community.

The City appears to have over-ambitious, vague and contradictory goals and objectives that directly contradict the site selection priorities as outlined by the California Coastal Commission in their letter dated December 10, 2013. The City claims it is attempting to build an efficient and cost effective WRF that is environmentally pristine and aesthetic, with minimal negative visual and environmental impacts. At the same time, without following due process, the City appears to be pursuing “other goals” for the new WRF site that are completely contradictory to the environmental priorities set out by the Coastal Commission, the Coastal Act, and other applicable laws.

How do you build an environmentally sound WRF with all manners of pretty aesthetics to make it appear to blend in with the natural environment while at the same time planning to put an unsightly and noisy Corporation Yard on top of or adjacent to it? It makes no sense whatsoever. The two competing goals are irreconcilable, and in the end, if the City gets its way to “own the entire [Righetti] property” where “there would be no limitations on what could be built,” the door will be opened for the unfettered urbanization and industrialization of the pristine Righetti Ranch property which is immediately adjacent to established residential neighborhoods.

There's no limit to what future City Councils and professional planners, developers, and other Morro Bay “power players” can imagine to create as the Righetti site will become the Central Coast's new regional sewage and waste center depository which is being designed to include numerous non-WRF uses by the City which are in violation of sound environmental laws and principles. The Righetti WRF site selection process appears to be a “backdoor” for the urbanization of our city, and specifically, the Morro Valley.

The City's “other goals,” which number over 70 various objectives, are purposely vague and ambiguous, and when you consider that examples of such “other goals” include something as environmentally noxious as a City Corporation Yard, one wonders why does the City even bother to pay “lip service” to developing a WRF with minimal negative environmental and visual impacts. Inclusion of, and insistence upon, the city's “other goals” that include the location of industrial developments is simply oxymoronic.

It is impossible to achieve WRF goals and “other goals” as these two objectives are “mutually exclusive” if you want to achieve minimal visual and environmental impacts. It would be sheer folly and municipal malpractice if we did not follow closely the words and guidance of the CCC and the Coastal Act as we proceed with the planning and development of the WRF. It is outright dishonest and hypocritical for the City to pretend that they are selecting a WRF site with minimal visual and environmental impacts when they are also pursuing a hidden agenda to use the new WRF site for various non-WRF uses which include, but are not limited to, on-site composting, a City Corporation Yard, a solar farm with unlimited acreage, a desalination plant, and a two story Administration Building.

LOCAL COASTAL PLAN CHAPTER X HAZARDS WITH RIGHETTI SITE:

There are also multiple Local Coastal Plan Chapter X “Hazards” associated with the Righetti site. It is completely irresponsible for the City to ignore the Chapter X “Hazards” associated with the Righetti site by virtue of the Morro Bay “Nutmeg Ridgeline.”

The entire Nutmeg Ridgeline, which is supported by the Righetti land mass, is recognized in the Morro Bay LCP as being unstable and subject to the high-risk of landslide. The Nutmeg Ridgeline is immediately adjacent to and dependent upon the stability of the land at the Righetti site property. In addition to being unstable, it sits directly on a earthquake fault line in the Alquist-Priolo Earthquake Fault Zone, with an earthquake fault line that runs along Nutmeg and down along Righetti, and then further on to Rancho Colina (USGS MF-686 map, C.A. Hall, 1975).

Morro Bay leaders, consultants and staff must certainly know the California Coastal Commission (CCC) has clearly laid out the game plan for properly identifying and considering all “feasible alternatives” for an environmentally compatible Water Reclamation Facility (WRF). This guidance and directive can be found in the CCC's 12 page letter dated November 12, 2011 to Morro Bay Public Services Director, Rob Livick. The CCC clearly states that it is “insufficient to evaluate only one alternative location, but the analysis needs to be focused on a co-equal evaluation across the same range of factors” of all feasible alternatives. That means that all potential sites should be equally studied and examined, not just one preference, like Righetti, only because the property happens to be “for sale” or satisfies the City's obsession with placing and operating various obnoxious non-WRF facilities on the selected site.

The CCC also said in 2011 that the Draft Environmental Impact Report (DEIR) “must identify and account for additional sites that would be capable of accommodating a wastewater treatment plant.” The CCC also directs that “the City's DEIR must evaluate the costs and benefits equally across alternatives so that decision-makers can proceed to deliberate and make decisions based on such information.”

It appears that Morro Bay has not faithfully followed this criteria by not giving a fair and factual evaluation of other “feasible alternatives” equally, as the CCC explained and directed, and the City appears to have given short-shrift and dismissal to other superior WRF sites such as the Tri-W property in the Chorro Valley. The Tri-W Chorro Valley WRF site, according to a fair reading of the governing CCC December 10, 2013 letter, appears to be an excellent WRF site alternative with minimal negative environmental impacts. In fact, the Tri-W is actually three different flat-land sites which are feasible

for a cost effective WRF with the greatest Title 22 reclaimed water opportunities. The three different Tri-W sites also have sufficient land for the City's non-WRF facilities and activities, and do not have "neighborhood proximity" issues such as are associated with the Righetti site.

The City appears to have abandoned full, complete, sound and rational environmental analysis of all "feasible alternatives," by making an abrupt shift and commitment to Righetti in February 2016. In fact, Righetti is the most inferior environmental site among all reasonable and feasible alternatives. It appears to have been abruptly and surprisingly selected, without adequate opportunity for full and informed public comment, for no other apparent reason that "it is for sale by the owner" (and the city will have 253 acres to befoul in any way they see fit to accomplish the city's "other goals"). Such "other goals" include building and operating a city Corporation "Junk" Yard, and other noxious and obnoxious urbanization and industrial development of the entire Righetti Ranch, as the City appears to desire various non-WRF uses of the 253 acres that are "without restriction."

The Righetti WRF site will inevitably become the "gateway drug" for Morro Bay "power players" and developers to pursue unbridled development and urbanization of the entire Morro Valley, especially when large amounts of "reclaimed water" become available with a new WRF. So, in effect, the city's "other goals" appear to be so intoxicating to city leadership that a sound and rational comparative analysis of all the other "feasible alternatives" has been pushed aside when the City signed an MOU and paid \$25,000 to the Righetti owner, Paul Madonna, to secure an option to purchase Righetti. Now we, the citizens, are supposed to have "skin in the game," and the further we go down the road of this Righetti site "sewage folly," the more time and taxpayer money the City of Morro Bay will waste on what is an environmentally inferior WRF site.

By all appearances, important WRF environmental objectives have taken a "backseat" to overriding vague and ambiguous "other goals" of the city. It is now becoming apparent that the WRF "environmental goals" and the city's "other goals" are turning out to be wholly incompatible with each other, and that these two objectives have become "mutually exclusive" with the rush to commit to the Righetti WRF site.

On December 10, 2013, after the final rejection of the 160 Atascadero Road rebuild of the existing site, the California Coastal Commission (CCC) sent a three (3) page letter addressed to Mayor Jamie Irons and the Morro Bay City Council. In this letter, the CCC made clear what the priorities and preferences were for selecting the best "feasible alternatives" for the WRF. This CCC letter is included in the 95 page Joint Council WRFCAC Updated Report on Council Recommended Sites as the "governing document" regarding the proper decision making process for making the best WRF choice.

The CCC clearly states that in the Morro Valley, the two most feasible alternatives are Righetti and Rancho Colina, with the CCC indicating very clearly that based upon criteria and research that the Rancho Colina site is the more favored site, as Rancho Colina was the least environmentally damaging feasible alternative of the two. Yet, the 95 page (pdf file) February 9, 2016 Joint Council WRFCAC Report ("Updated Report on Council Recommended WRF Sites") gives the false and mistaken impression that the CCC said that between the two feasible sites in the Morro Valley, Righetti was the best site. The CCC said no such thing and no fair reading of the 3-page letter from the CCC can be interpreted this way. The CCC letter states that "analysis of the Rancho Colina site determines that the identified optimal site may have reduced visual impacts compared to the Righetti site as it is located further from Highway 41." That was before the City insisted upon "other goals" with Rancho Colina.

TRI-W OPPORTUNITIES VERSUS RIGHETTI PROBLEMS:

The California Coastal Commission also indicated that there was another feasible alternative that "is of interest as it includes a new property," located in the Chorro Valley and specifically now includes the Tri-W property (APN 068-401-013). The CCC letter states the "The Chorro Valley site was assessed as very similar to the Morro Valley site but was ranked third due largely to the increased costs of development. The newly included Tri-W property is located on Highway 1; however the identified optimal site is located away from the road and the analysis suggests it would present minimal visual impacts." The CCC went on to say that "minimizing the visual impact of the new WRF is an important consideration when assessing the appropriateness of each site."

It appears that the CCC wanted the Chorro Valley Tri-W site to be given further assessment and evaluation, and there is no reasonable articulated or substantiated reason why this apparently superior site is not being thoroughly investigated and pursued by the City with the same vigor as Righetti.

The Chorro Valley Tri-W site is the best of the feasible alternatives as Righetti and Rancho Colina both have extremely negative environmental impacts for the Morro Creek and Morro Valley watershed, as well as creating dangerous traffic consequences for Highway 41, which also includes dangerous implications for emergency vehicles in and out of Morro Bay should there be come type of catastrophic failure at the plant that blocks Highway 41. The only other major ingress and egress for Morro Bay is Highway 1, and should any type of emergency evacuation ever be required, the dangerous consequences for Highway 41 traffic are too large to ignore and not address.

As previously mentioned, the Nutmeg Avenue ridgeline is a Chapter X "Hazard" in the Morro Bay Local Coastal Plan (LCP), as the land is unstable, with parts subject to high-risk for potential landslides. The Nutmeg ridgeline is also directly on an earthquake fault line (USGS MF-686 map, C.A. Hall, 1975), which is reported to stretch into the Righetti Ranch, and further on to Rancho Colina. The Nutmeg ridgeline area is in the Alquist-Priolo Fault Zone. It cannot be stressed enough how much the integrity of the Nutmeg ridgeline depends upon the continued integrity of the adjacent Righetti land mass, and any WRF project involving grading and earth-moving creates unknown and unpredictable high risk factors. The risk to the stability of the Nutmeg ridgeline is further exacerbated when additional grading and earth-moving for the City's non-WRF facilities is included.

Our family built our first house on [REDACTED] in 1961, when it was known as [REDACTED]. The street was nothing more than a bulldozed adobe dirt road. Ours was the first house on the hill on [REDACTED]. Later, in 1977, my father built the home where I live now on [REDACTED]. At the time, my father was required by the Coastal Commission to go through many considerable additional safety precautions in building and fortifying the house, as by that time, we were informed that the property was on an earthquake fault.

Very few people understand the nature of the land here in the hills and valleys of North Morro Bay as well of the people who live here. You talk to anyone who knows about [REDACTED] and has walked the street, and they will tell you about the springs where water flows almost continuously into the street from the Righetti property. People also know what happens here when we get heavy rains. Those of us who know what actually happens know that when conditions are such that it floods down by the current sewer plant at 160 Atascadero Road, the lower parts of the Righetti Ranch also flood.

There are at least three (3) “ephemeral streams” that run throughout the Righetti property, which our city consultants list merely as “drainage.” But, these streams are more than just drainage. They are actually long and established “tributaries” of Morro Creek which are vital for the Morro Valley riparian ecosystem. It cannot be stated how much environmental damage will be permanently done by grading and developing a WRF anywhere on the Righetti property. Under the “public trust doctrine,” and other applicable laws, the City needs to protect these important streams which feed into Morro Creek.

The February 9, 2016 updated Staff Report says that the Righetti site “could present regulatory or logistical challenges that could make site development problematic.” This is an understatement. The Righetti site drainages, which are in fact “tributaries” to Morro Creek, are and should be protected as “Waters of the United States” (“WOTUS”) and “Waters of the State of California,” and the city will face serious legal and permitting restrictions that go far beyond just the California Coastal Commission. These obstacles to the WRF at Righetti include federal regulation and permitting by the U.S. Environmental Protection Agency (EPA), the Army Corps of Engineers, FEMA, and other agencies. In that Righetti drainages are arguably “jurisdictional waters” subject to such environmental laws and regulations, the city will have to deal with the time and expense associated with various legal challenges by the many various governmental agencies (and the citizens and groups who file oppositions to the city), as well as the inherent follow-on litigation in state and federal courts which could take years to resolve favorably, if at all.

The February 9, 2016 updated Staff Report on recommended WRF Sites acknowledged this reality and recognized that Rancho Colina is a better site than Righetti because of “site flexibility” and the “ability to more easily avoid jurisdictional waters with respect to permitting.” (page 2/page 4 pdf) Therefore, Righetti should not be selected due to important environmental concerns, including an irreparable negative impact on the Morro Creek riparian ecosystem. The citizens of Morro Bay, through their representatives, are literally and figuratively at a “watershed” moment and turning point in the final decisions we are about to make.

It should also be noted that the December 10, 2013 California Coastal Commission three (3) page letter, which is incorporated within the 95 page (pdf) February 9, 2016 WRFCAC updated Staff Report, also discussed how “all efforts should be made to avoid impacts to prime agricultural land.” The CCC letter and WRFCAC Report also goes on to discuss that the County LCP does allow for agricultural land such as Righetti to be rezoned, but only “if it is determined to be the least environmentally damaging feasible alternative.” For the reasons previously stated, and well as many other conditions that make a WRF at the Righetti site a visual and environmental nuisance and hazard, the Righetti site is definitely not the “least environmentally damaging feasible alternative.” In fact, it could be rationally argued that among the choices between Righetti, Rancho Colina, and Tri-W in the Chorro Valley, Righetti is in fact the “most environmentally damaging” when all factors are taken in equal consideration as required by the CCC.

Morro Bay residents and citizens have been alarmed at the “last minute” abrupt change to the Righetti site for our WRF. For the public, this is a dramatic turn of events that appears to disregard significant public input, regardless of how nice consultant “workshops” and public meetings seem to be involving the public. The apparent sudden rush to decision, even with the “60 day pause,” has many people saying that they think that “no matter what the people say, the city is going to go ahead and do what they want anyway.”

In February 2016, the public and affected neighborhoods had little time to respond to the shocking and disturbing news of the Righetti site focus after over a year of assuming the WRF site would be Rancho Colina. It was an outrage to learn that good taxpayer money had been put towards a Righetti site purchase. In the short time the public has had to react to the change of direction towards Righetti, here are some of the other objections and concerns being expressed by many Morro Bay citizens and residents as to “Why The Righetti Site is a Bad Decision”:

- There are only 2 flat useable acres of land after the original farm buildings are demolished.
- There are at least two blue line streams indicated on the property, with at least one spring
- The existing area floods under heavy rain storms as it did in 1995/98
- The cost of earth work to fill in the flood zone area needed to facilitate enough flat land to build the WRF plant and the city corporation yard would be astronomical.
- Grading and earth work at the Righetti site will greatly destabilize the Nutmeg Ridgeline and hills around Righetti, subjecting residents and the site to landslide events. The City estimates that at least 90,000 cubic yards of earth will need to be removed.
- The Righetti site is on and adjacent to an earthquake fault (USGS map MF-686, C.A. Hall, 1975) and is in the Alquist-Priolo Fault Zone
- The prevailing wind direction blows towards the housing and area residents will be subject to odors and particulate matter at all times.
- Highway 41 does not allow for easy access for a left turn lane into the property. This is a huge safety issue as the city wants to move the city corporation yard to this location. Slow moving heavy equipment will need to be driven onto Highway 41 to perform city maintenance. Large equipment can't be driven on the shoulder of the highway there, and moving any equipment will block the traffic lane and represent additional hazards for motorists and vehicular traffic
- Making Highway 41 wider to facilitate a turn lane will require construction work to be done on the south side of the highway encroaching on the 100 foot line to the creek area's sensitive habitat, requiring more coastal commission and Native American inspections and reports.
- Significant additional traffic and dangerous driving conditions will be added to the problems Highway 41 already has for vehicles entering Morro Bay. Permitting and negotiations with Cal-Trans will be required for the WRF.
- Righetti is also a poor spot for a WRF “sewer plant” as it is one of the two main gateways to the city and will be seen by everyone on Highway 41. Also it can be seen from the Highway 1 overpass if you're looking in that direction. Morro Bay risks its reputation as a “bird sanctuary” by allowing the estuary and wetlands associated with the Morro Valley to be spoiled by a “sewer plant” and become what some people will call a “turd sanctuary.”
- It makes no sense for the city to say it's pursuing the development of a WRF that is the “least environmentally damaging feasible site” with minimal negative “visual impact” while the city is also concurrently pursuing “other goals” which are contradictory, such as placing the city “Corporation Yard” at the site. Why bother telling the public that you're designing an aesthetically pleasing WRF that blends in with the natural environment when the city is also planning other non-WRF facilities such as the ugly, noisy, polluting corporation “junk yard” right next to it?
- The Righetti site is valuable agricultural land that contains “drainages” which are legally

considered to be “tributaries” of Morro Creek, and which are protected as “jurisdictional waters” under the EPA's Clean Water Rules under the Clean Water Act. The February 9, 2016 updated Staff Report on Council Recommended WRF Sites acknowledges that this issue is “problematic.” In addition, the jurisdictional waters associated with the Righetti property are “public trust resources,” and are therefore subject to the “public trust doctrine” with respect to legal evaluation and treatment.

- Why has there not been more effort to explore more thoroughly the CCC's third option for the best feasible alternative for a WRF site, the Tri-W property in the Chorro Valley? That property has been reported as being available for possible purchase, and has three different parcels of mostly flat land that can more easily be rezoned than the Righetti.

On April 29, 2016 a new updated Staff Report prepared during the “60-day pause” recommended the Tri-W site as a better alternative for a new WRF. The WRFCAC, after considering the Staff Report and public comments, voted on May 3, 2016 to recommend that the City Council completely remove Righetti from any further consideration for a WRF site.

After voting to eliminate Righetti from further consideration, a revised City Staff Report was issued May 5, 2016, that recommends that the WRFCAC vote be ignored and that Righetti should continue to be considered as a feasible alternative based upon lower overall costs. While the Staff Report acknowledges that Righetti costs will likely increase based upon the time and costs of an almost certain legal challenge, the Staff Report fails to recognize the extreme costs which will also be incurred if their assumptions regarding the pumping of Title 22 reclaimed water exclusively into the Morro Valley turn out not to be viable or sustainable, or the highest and best use of such valuable resources.

The Consultants are claiming that Righetti should not be excluded from further consideration because “all feasible sites” should be considered under a new Facility Master Plan. Yet, they don't explain why other feasible sites (such as the Power Plant) have been removed from consideration. This gives the appearance that City Staff are acting in an arbitrary and capricious manner in determining which “feasible sites” should remain under consideration, and which should not.

PHASE II - TERTIARY WATER RECLAMATION:

With respect to water reclamation, I am 100% in favor of Title 22 compliant tertiary water standards. But, the usage of this water needs to be better thought out. Injecting or percolating 1,000,000 gallons a day into just the Morro Valley has many potential negative environmental, ecological and geological consequences that have not been fully considered. We understand that the City of Morro Bay has certain employees and stakeholders who have interests in receiving reclaimed water for their Morro Valley properties to grow avocados. But putting all of the Title 22 reclaimed water exclusively in the Morro Valley is not the highest and best use of this valuable water. Having that water go exclusively to the Morro Valley is not sustainable in such a high volume, and it is short-sighted to ignore opportunities to have reclaimed water more fairly distributed for citywide usage.

Phase II water reclamation plans must be better thought out before we begin Phase I of this project. The reclaimed water must be more thoroughly distributed throughout the city in compliance with all Title 22 suggested uses, and should also include revitalizing the hydrology of the Chorro Valley. Pumping all that water into the Morro Valley alone would completely destroy the riparian

habitat of Morro Creek, and will produce its own negative environmental and geological impacts.

The decision to focus solely on the Morro Valley for Title 22 water reclamation is another aspect of the many decisions being made that appear arbitrary and capricious, and lack due process. We have been considering Phase I WRF site locations based upon unproven and vague notions that Phase II reclamation exclusively in the Morro Valley is the highest and best use for this water. The City does not appear to address or consider that there are significant problems with injecting or percolating water in such a high volume solely in the Morro Valley. Based upon the geology and hydrology of the Morro Valley, such a high volume of water going solely to this area is not sustainable in the long term. The cost effectiveness arguments in favor of a Phase I WRF at Righetti are based upon unproven assumptions regarding Phase II water reclamation opportunities exclusively in the Morro Valley. The assumptions fail to take into full account the value of a more distributive citywide use of reclaimed water that also revitalizes the hydrology of the Chorro Valley, and the potential to begin using the wells in that valley again at some point in the future.

FUNDAMENTAL DUE PROCESS IN THE WRF SITE SELECTION PROCESS IS LACKING:

With respect to the issue of fundamental due process, we the public have not been given a fair opportunity to consider and evaluate Phase I of the WRF project because nobody appears to know exactly what the proposed project is. The City refuses to state what it is, always alluding to a "Facility Master Plan" which they claim will be developed later, but which we suspect they already know what they want to put in it.

Based upon various conflicting statements made by city leadership and consultants, the public has been consistently misled on what WRF and non-WRF facilities, activities and uses are being proposed for the new WRF site. Because of the City's continued ambiguity regarding their master plan, we the public don't know if we're discussing just a simple WRF on 8 acres, or if the WRF is also going to be a City Corporation Yard, as well as a smelly composting site, a desalination plant, and an obnoxious solar farm. The citizens are also being misled with respect to City suggestions that Righetti open land may be set aside for "passive use," when in fact, "passive use" can include the development of an unsightly solar farm on the remaining acreage.

How can anyone effectively prepare comparative reports and recommendations, or give meaningful public comment, if nobody on city council, staff or consultant teams can or will tell us exactly what project is being proposed? The City continues to fluctuate between a WRF and a WRF with numerous non-WRF facilities, activities and uses. If the City wants non-WRF facilities, activities and uses, then the logical preferred site would be located at the Tri-W, and certainly not at Righetti, where the negative visual and environmental impacts are unduly high.

City Staff and Council are being coy and deceptive with respect to their ulterior motives for selecting Righetti as the WRF site. Someone appears to be at least entertaining the idea of Righetti becoming 253 acres of a regional WRF, with on-site composting, a City Corporation Yard, a desalination plant, an Administrative Building, and a solar farm limited only by the size of the property. We have no assurance whatsoever that this is not an intended result and endgame for selecting such a large parcel of land as the Righetti ranch. Yet, the City won't propose these things outright for Public Comment until they have committed the Righetti property to a Facility Master Plan.

Rather than selecting a WRF site that has “minimal negative visual and environmental impacts” as required by the Coastal Commission, the City continues to arbitrarily favor the Righetti site where “there would be no limits on what could be built related to achieving the city's goals.” This is very disturbing, and has created a selection process that does not allow the public to make a fair and meaningful evaluation and public comment with respect to what constitutes feasible WRF sites.

City attempts to make a Righetti WRF more appealing by suggesting that remaining open land can be dedicated to “passive use” is a meaningless distraction. “Passive use” can include filling the entire remainder of the land with ugly solar panel arrays. And, ideas about “hiking trails” and “water falls” on Righetti are nothing more than “attractive nuisances” that will disturb the peaceful and quiet enjoyment of our property.

THE CITY STAFF REPORT URGES COUNCIL TO REJECT THE WILL OF THE PEOPLE:

The May 5, 2016 revised Staff Report advises the City Council to disregard the will of the people to eliminate Righetti from further consideration as expressed by the vote of the WRF Citizens Advisory Committee on May 3, 2016. The revised Staff Report recommends Righetti based upon overall cost when compared to Tri-W. However, notwithstanding the assurance that there will be ongoing legal challenges to the Righetti site by numerous Morro Bay citizens, Righetti is also a bad choice based upon its complete lack of vision for a more inclusive and distributive usage of Title 22 reclaimed water throughout the City.

Focusing solely upon the Morro Valley for reclaimed water is a gamble as there is no certainty that the Morro Valley riparian system can sustain such a volume of water over the long term. It will completely destroy “public trust resources” and the riparian habitat of Morro Creek and the Morro Valley. While there may be certain Morro Bay insiders and “power players” who'd like the assurance of reclaimed water for their avocados, exclusively injecting the Morro Valley with 1,000,000 gallons a day is not sustainable or beneficial over the long-term. There are many geological and hydrological problems associated with injecting and percolating reclaimed water exclusively into the Morro Valley.

Title 22 reclaimed water would be more wisely distributed throughout the City in both the Chorro and Morro Valleys. It is worth the estimated \$8 to \$13 dollars per month on our sewer bills to build a WRF the right way on Tri-W, and make sure that Title 22 water is put to its highest and best use in both the Chorro and Morro Valleys. Selection of Tri-W will also allow the City to explore its various non-WRF fantasy projects without undue neighborhood proximity nuisances and legal issues.

TRI-W IS THE BEST OPTION AND RIGHETTI SHOULD BE REMOVED:

Based upon the reasons and objections expressed herein, I urge the City Council to select the Tri-W as a preferred WRF site, and to reject once and for all any further consideration of the Righetti site. As recognized by the vote of the WRFCAC recommending the City Council to eliminate Righetti, the peaceful citizens of Morro Bay, particularly the residents of Nutmeg, Ponderosa, and surrounding neighborhoods, do not need the City's continued harassment and agitation regarding this important issue. We need our peace of mind. If you choose Righetti, we will never ever stop fighting you every step of the way. We must protect our environment, our wetlands, the local habitat, and the peace of mind we have been promised to enjoy with our property rights. The destruction of our views, as well

as the noise, odors, light pollution, particulate matter, and the pillaging of Righetti's pristine agricultural ranch land is the least feasible alternative for a WRF, and any Righetti WRF should be rejected with prejudice in favor of one of the several available flat-land sites on the Tri-W property.

Without the Righetti property, the City will still have enough feasible and viable WRF sites to use as alternatives in an EIR. Also, it should be noted that the Tri-W property offers three different sites which represent great opportunities for consideration, and should be treated as such.

For the reasons stated herein, I urge the City Council to select the Tri-W property for the WRF, thereby providing for the best and most sustainable reclaimed water uses and options, while also achieving the City's "other goals" with the least negative visual and environmental impacts. The Righetti site should be removed from any further consideration as recommended by WRFCAC.

Respectfully submitted,
Mark D. Olson, J.D., M.A., M.B.A.

[REDACTED]
Morro Bay, California 93442

Email: [REDACTED]

5/10/16 Meeting
Item C.2

Dana Swanson

From: Kent Snowden [REDACTED]
Sent: Thursday, May 05, 2016 3:21 PM
To: Council
Subject: Future location of WRF

RECEIVED
City of Morro Bay

MAY - 5 2016

Administration

Dear Council Members,

I am writing this letter to strongly urge you to vote to accept the recommendations of the WRFCAC, regarding the location of the future sewage treatment plant and other industrial / commercial uses.

#1. Vote to remove the Righetti property permanently from the city's list of properties to build the future sewage treatment plant. For many reasons already discussed, this site is not a viable option.

#2. Vote to move forward with the John Rickenbach Staff Report recommendation, that the Tri-W site is the appropriate location for the future development of a sewage treatment plant.

Thank you for your time and consideration,
Kent and Brenda Snowden
Morro Bay

5/10/16 Meeting
Item C-2

Dana Swanson

From: Catherine Kornreich [REDACTED]
Sent: Thursday, May 05, 2016 12:38 PM
To: Council
Cc: Tina Metzger
Subject: sewer treatment plant

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City of Morro Bay

MAY - 5 2016

Administration

Dear Council Members,

I want to thank you for your continuing research into locations other than Righetti Ranch for the sewer treatment facility.

At Tuesday's Advisory Committee meeting, I was VERY impressed that the committee realized Righetti was a poor site location. They cited numerous reasons, and it appeared that they were listening to the adjacent neighborhood's concerns.

I would like to ask you to please remove Righetti from your list of possible sites...forever.

I don't need to reiterate all of the reasons... the advisory committee did a grand job of it. I know Righetti looks good because of the numbers that were presented, but as they stated...time is money...and in no time at all, those numbers will climb due to delays. As a neighborhood, we will continue to fight this location, to preserve our investments and our quality of life.

Please continue to move forward toward finding an acceptable site other than Righetti ...it looks like you have many solid options.

Let's get this done.

Catherine "Kiki" Kornreich

[REDACTED]
Morro Bay, CA 93442
[REDACTED]

5/10/16 meeting
item C-20

Dana Swanson

From: Lorie Noble <[REDACTED]>
Sent: Thursday, May 05, 2016 12:31 PM
To: Council
Subject: WRFCAC recommendations

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City of Morro Bay

MAY - 5 2016

Administration

Dear Mayor and City Council Members,

I request the City Council vote to approve the WRFCAC recommendation to permanently remove the Righetti property from the list of possible sites for the future sewage treatment facility.

Thank you,

Lorie Noble
[REDACTED]

Morro Bay, CA 93442

5/10/16 meeting
Agenda Item C-2

Dana Swanson

From: tom rost [REDACTED]
Sent: Friday, May 06, 2016 9:59 AM
To: Council
Cc: yair.chaver@coastal.ca.gov; bgibson@co.slo.ca.us
Subject: Sewage Treatment Pland and Water Reclamation

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MAY - 6 2016

Administration

TO CITY COUNCIL OF MORROW BAY:

Expanding on my email of Tuesday, May 3, 2016 it is my understanding that a staff report of 4/29/2016 and a consultant recommendation that the Righette property be deleted from the list of alternative considerations for the future sewage treatment plant and water reclamation.

It is my further understanding that the Water Reclamation Facility Citizen Advisory Committee (WRFCAC) endorsed the recommendation to remove from consideration the Righette property.

This certainly is proceeding in the right direction of eliminating the Righette site and reducing the impact on the neighborhoods of Morro Bay and the citizens that live therein. It is urged that the Council take action to permanently remove the Righette property from the staff and consultant consideration which would show the Council is responsive to its citizens.

The recommendation of exploring a Tri-W site is a reasonable recommendation.

A Tri-W site, depending on location, would be a much improved location for the citizens of Morro Bay.

I still believe my recommendation in my email of May 3rd has the most merit and most benefits for the citizens and taxpayers of Morro Bay:

- A. Becoming a customer of Cayucos Treatment Plant and Water Reclamation or,
- B. Becoming a customer or co-investorr in the CMC site.

Considering the financial condition of the city of Morro Bay and attempting to minimize future costs to the city of Morro Bay in developing these facilities, these two recommendations would be the most cost effective and minimize the cost of expansion of city government.

I acknowledge and appreciate the responsive communication from Christine Johnson, but I hope all members of the Council recognize the effort to minimize present and future obligations of the taxpayers of Morro Bay.

Respectfully submitted,

Tom Rost
Rost & Rost Consulting, Inc.

[REDACTED]
Topeka, KS 66612
[REDACTED]

E-mail: [REDACTED]