

Application of Citizen Monitoring to Inform Citizen Enforcement and Government Actions



Wishtoyo Foundation's Ventura Coastkeeper Program's Watershed Monitoring Program monitors Ventura County's waterbodies for pollution, and uses the results of our monitoring efforts to protect the water quality and ecological integrity of Ventura County's coastal and inland waterbodies.

At the heart of our monitoring efforts are volunteer composed Stream Teams that record water quality data in the field and analyze water samples in our lab.



Wishtoyo Stream Team Volunteer detecting very high levels of turbidity in Santa Paula Creek



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Our staff and Stream Team monitor in accordance with Ventura Coastkeeper's Volunteer Water Monitoring Quality Assurance Project Plan (QAPP) that is certified and approved by the Los Angeles Regional Water Quality Control Board.

VCK also monitors by reviewing discharge monitoring reports to determine compliance with Clean Water Act water quality standards and by visually inspecting waterways for illegal fills.



SANTA PAULA HIGH SCHOOL STUDENTS ANALYZING WATER QUALITY AT OUR LABORATORY LOCATED AT CALIFORNIA STATE UNIVERSITY CHANNEL ISLANDS

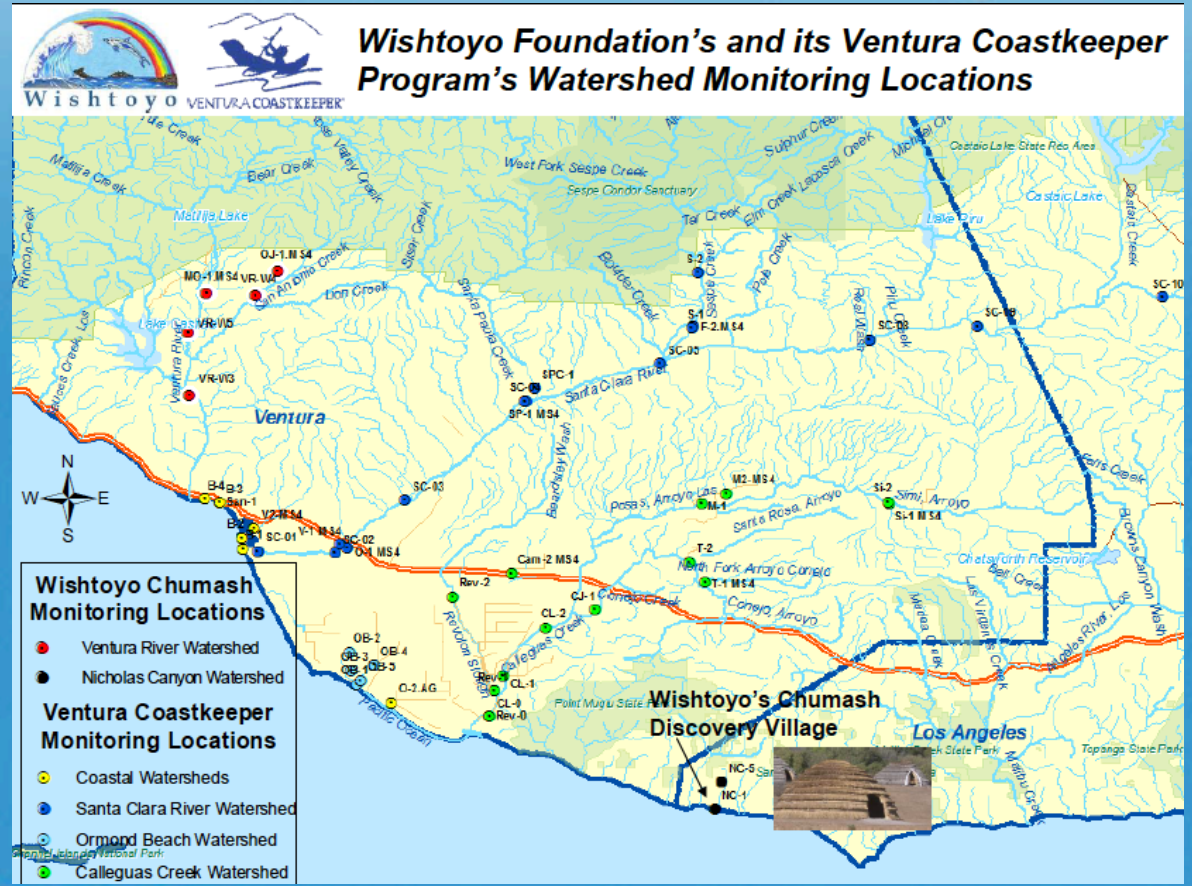


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With over 50 river, estuary, wetland, storm channel, and coastal monitoring sites, over the last 6 years we have mobilized hundreds of stream team volunteers to assist with sampling and monitoring in the Calleguas Creek, Santa Clara River, Ormond Beach, and Ventura's Coastal Watersheds.



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The high-quality bacteria (total coliform, E. coli), nitrate, phosphate, dissolved oxygen, water temperature, flow, turbidity, trash, conductivity, and pH actionable data we collected in the field and analyzed at our California State University Channel Islands laboratory in accordance with our QAPP is used by state and regional water quality agencies to determine water quality impairments and to formulate remediation plans for swimming, fishing, wildlife, and other uses.

We also use this actionable data to bring polluters into compliance with applicable state and federal regulations, to support our legal and advocacy efforts to improve water quality, and to work with land owners to stop water pollution at its source.



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Application 1: Informing Citizen Enforcement Actions

Polluted Municipal and Industrial Discharges

Since 2009, throughout Ventura County, along its coast, up the Santa Clara River, and into the Calleguas Creek, Mugu Lagoon, and Ormond Beach watersheds, we have entered into, monitored, and enforced our legal settlements, initiated new citizen suits against, and/or went into trial against over 16 dirty companies operating on over 350 total acres and a municipality due to its discharges of inadequately treated sewage.

These resource intensive efforts stopped toxic discharges of metals, E. coli, nutrients, and trash into inland and coastal waters.



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Application 1: Informing Citizen Enforcement Actions

Six Flags Magic Mountain: In 2011 we were shocked when a Magic Mountain employee informed Wishtoyo and our Ventura Coastkeeper Program that he was instructed to wash trash down the amusement park's storm drains after hours. Our stream team responded to the whistle blower's concerns about the park's pollution impact on the Santa Clara River with a site investigation, and discovered Magic Mountain labeled trash and souvenir items lining the Santa Clara River's side channels from the park's three discharge points all the way to their confluences with the Santa Clara's mainstem. Subsequent sampling during storm events and Magic Mountain's own stormwater sampling results also demonstrated exceptionally toxic levels of metals such as copper, zinc, aluminum, and iron spewing from Magic Mountain's discharge points.



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Application 1: Informing Citizen Enforcement Actions - Six Flags Magic Mountain



GPS-Photo Link



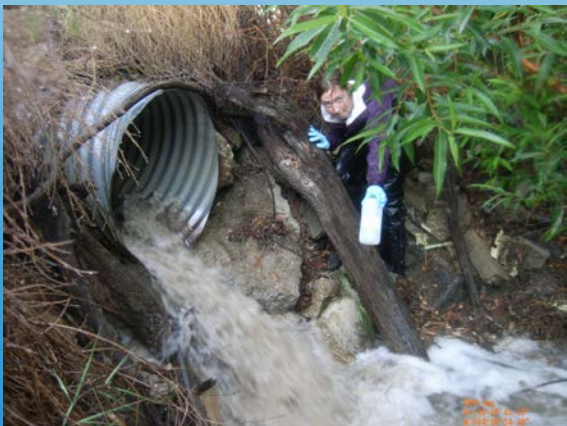
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Application 1: Informing Citizen Enforcement Actions

Six Flags Magic Mountain: In April 2012, Wishtoyo, Ventura Coastkeeper, and partners Los Angeles Waterkeeper and Friends of the Santa Clara River, initiated a Clean Water Act citizen suit enforcement action to abate this egregious pollution from the 260 acre amusement park. In December 2014, after almost three years of hard fought, resource intensive litigation to protect the Santa Clara River and Pacific Ocean from Six Flags Magic Mountain's discharges of polluted storm water containing trash and toxic levels of metals, we prevailed on our motion for summary judgment on our major substantive claims. The Court finding Magic Mountain in violation of the Clean Water Act for its toxic discharges paved the way for a promising settlement in 2015 to ensure the Santa Clara and Pacific Ocean are protected from toxic discharges of metals and trash. Under the agreement filed in federal court, Six Flags must treat its polluted discharges to legal limits or infiltrate its stormwater to groundwater.



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Los Angeles Waterkeeper

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Application 1: Informing Citizen Enforcement Actions:

Waste Management Waste Transfer Station Enforcement: In October 2014, Wishtoyo Foundation and its Ventura Coastkeeper Program reached settlement with Waste Management subsidiary G.I. Industries over our Clean Water Act lawsuit filed in March of 2014 to protect Arroyo Simi, Mugu Lagoon, and the Pacific Ocean from polluted stormwater discharges of e.coli, trash, and toxic metals. The agreement, filed in federal court, requires Waste Management to implement pollution prevention and treatment control (Best Management Practices - BMPs) at its 8.2 acre Simi Valley municipal and commercial trash collection, hauling, and truck yard facility. The BMPs will ensure storm water and dry weather discharges from its facility comply with the Clean Water Act and are protective of the ecological, recreational, and cultural uses of Arroyo Simi, Arroyo Las Posas, Calleguas Creek, Mugu Lagoon, and Ventura's coastal waters



THIS POLLUTED STORMWATER DISCHARGE FROM THE FACILITY IN 2012 CONTAINED TOXIC CONCENTRATIONS OF METALS, E. COLI, AND FECAL MATTER.



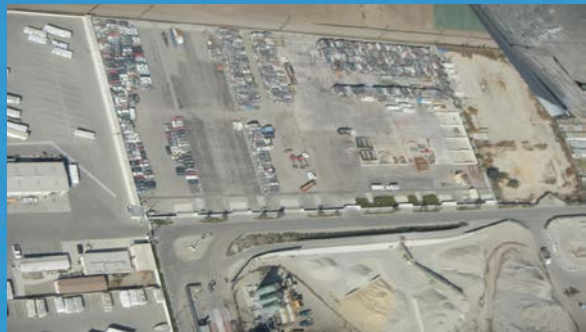
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Application 1: Informing Citizen Enforcement Actions

Auto Dismantling Yard Storm Water Clean Water Act Litigation: In 2012, VCK secured water quality protections for the Santa Clara River and underlying groundwater aquifers from multiple automobile dismantling and scrap metal companies operating their facilities on 37 acres off Mission Rock Road in Santa Paula, California through settlement agreements filed in federal court. The decrees mandate compliance with applicable surface and groundwater water quality standards, and require groundwater monitoring of infiltrating storm water.



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Application 2: Informing Government Actions

- Clean Water Act List of 303 (d) Impaired Waterways and TMDLs
- NPDES Permits
- Regional Water Board, State Water Board, and EPA Enforcement Actions
- State Management Plans
- State Monitoring
- State Permits, Approvals, and Actions



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Application 2 Case Study - Clean Water Act 303 (d) Impaired Waterbody Listings:

In 2009, Ventura Coastkeeper's Watershed Monitoring efforts and ensuing advocacy before the State Water Board resulted in the first ever Clean Water Act 303 (d) Impaired Waterbody listings for trash in California!

As a result of the data collected through VCK's watershed monitoring program and provided to the state, eight reaches of Calleguas Creek were designated as impaired for trash pollution. Municipalities, business, and agricultural operations now have to take mandatory steps to protect Calleguas Creek, Mugu Lagoon, and the Pacific Ocean from debris.



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Application 2 Case Study - Clean Water Act 303 (d) Impaired Waterbody Listings:

New data collected through VCK's watershed monitoring program and submitted to the State Water Resources Control Board (SWRCB) supports 29 new Clean Water Act 303(d) impaired waterbody listings in the Santa Clara River, Ormond Beach, Bubbling Springs, Nicholas Canyon, and various Ventura County coastal watersheds for trash, flows, fish barriers, nitrate, phosphate, dissolved oxygen, E. coli, and pH impairments. If adopted by the State Water Board as expected in 2017, the listings will mandate that California adopt Total Maximum Daily Loads (TMDLs) designed to abate the sources of pollution from municipal, industrial, and agricultural sources causing these impairments.

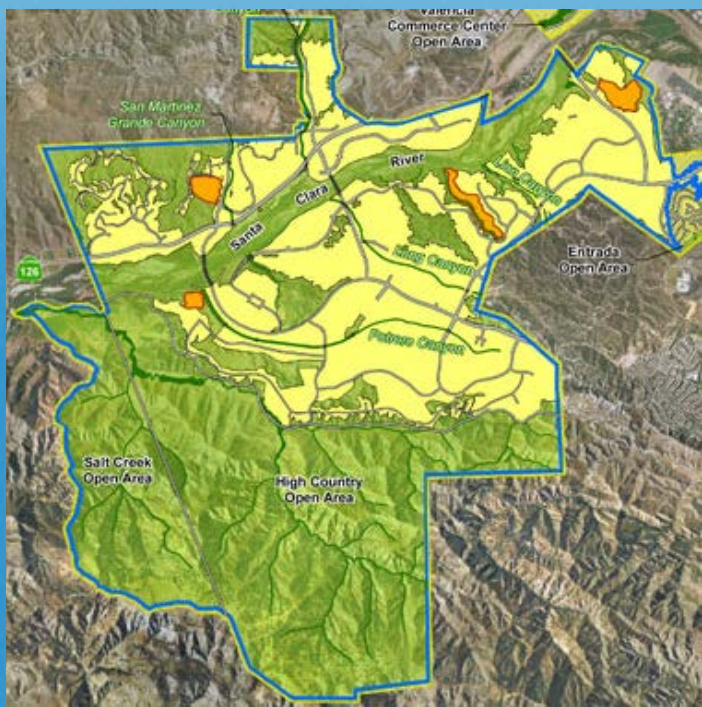


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Application 2 Case Study – Protecting the Santa Clara River from the Newhall Ranch Mega Development through the CEQA Process



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Application 2 Case Study – Protecting the Santa Clara River from the Newhall Ranch Mega Development through the CEQA Process



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Thank You!

Questions & Discussion

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