

CLEAN WATER NOW! COALITION

P.O. Box 4711, Laguna Beach, CA 92652 - 949.280.2225 - www.cleanwaternow.com

"The Clean Water Now! Coalition is dedicated to the protection, restoration and preservation of aquatic and riparian ecologies worldwide.."



To: Board of Directors at Orange County Water District (OCWD)

Re: Proposed Modifications to the North Basin Groundwater Protection Project located in Fullerton and Anaheim

Hearing date: Wednesday, June 20, 2012

Attention: Mr. Daniel Bott, Principal Planner OCWD

OCWD Groundwater Project Final SEIR & Modifications

Background:

The Clean Water Now! Coalition (CWN!C) is primarily a South Orange County water quality watchdog NGO based in Laguna Beach, within the Region 9, Cal/EPA domain. Regarding this particular cleanup and remediation in Region 8, Cal/EPA, we do feel compelled to add our voice as a civic duty to our fellow OC residents severely impacted that is consistent with and honors our mission statement.

The size of the community affected deserves expedited, assured, district-wide safe and risk free drinking water that has been jeopardized indefinitely by these sub-surface contaminants.

It would be ethically remiss of us to fail providing comments for several other reasons:

- As Executive Director, I am uniquely qualified to analyze the OCWD efforts because I am a professional environmental consultant who specializes in hydrology and water quality impairments.



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● Representing both the interests of concerned South OC NGOs and with open encouragement from my City Council here in Laguna Beach (LBCC Baglin and Pearson), to the best of my knowledge I've been the only NGO representative to ever attend numerous MCAS El Toro Hazardous Waste Cleanup and Conversion Committee meetings held at Irvine City Hall over the past 10+ years.

Thus I have over a decade of specific expertise regarding the pumping, cleansing and disposal of waste detritus for a similar gamut of VOCs perched beneath the general Irvine area. It is a widely publicized subject of a massive CERCLA (Superfund) project involving soil-related degradation as well. It is now projected to require a similar timeline for cleanup, perhaps as long as 40 years. Irvine Ranch Water District (IRWD), like OCWD, is the appropriate agency to be empowered to perform this type of unfortunate task and hence sustains a legal precedent.

These Persistent Organic Pollutants (POPs) that have seeped into a wide swath of the Irvine aquifer have made the remediation led by the area's provider, IRWD, extremely difficult and challenging. Irvine's cleanup is ironically similar in both size and transient, hazardous mobility. The contaminated plume remediation addresses a like timeline and a vast array of like strategies that we will be continue to monitor and be actively engaged in. The former military facility, like yours, mandates these remediations.

Our comments, therefore, have merit and value in light of our historical engagement, public protection achievements, skills, and knowledge.

Comments:

The CWN!C fully and enthusiastically supports all three (3) of OCWD staff recommendations regarding this agenda bill:

- (1) Certification of Final SEIR,
- (2) Approval of Report for Modifications, and
- (3) Approval of Modifications to the NBGPP.



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Due to a schedule conflict, CWN!C representatives cannot attend the meeting personally but would like to express our sincerest gratitude to the OCWD for taking an assertive leadership role.

This project is especially time-sensitive and should progress undeterred, impeded or fettered. OCWD has firmly (and rightfully) requested that it be the lead agency that continues to be nobly responsible, to be held accountable for the cleanup and other ancillary remediation work necessary.

We conclude that the corporate contaminator's legal pleadings will basically move the cleanup more slowly, less efficiently and, perhaps of greater importance to general public perception, with more uncertainty. These corporate entities should NOT be allowed to be in the fiduciary leadership position for mitigation decisions and/or remediation approaches; that is an objectionable slippery slope and a specious, unacceptable strategy to say the least.

The general public would remain suspicious over the decades necessitated for this project's successful conclusion if these entities prevailed in wresting or forcing such a lead role from OCWD. Moreover, it is important that OCWD customers understand that the costs, the burdens regardless of their complexity SHOULD be fully funded by the polluters and not unfairly placed upon them or other OC taxpayers.

As the homily reflects, **"You break it, you bought it."** In this case, the polluters who contaminated this portion of the basin should be burdened with the costs of **"fixing"** what they broke. It is OCWD, the almost 80 year historical stewards, the caretakers and trusted providers of safe drinking water who should be empowered with complete remediation oversight. The potential specter of those responsible for the contamination cutting corners financially or technically is simply unacceptable.



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In conclusion, we wish OCWD, their staff and remediation vendors well and are hopeful that the acrimony and litigious challenges subside so that the district can proceed promptly in the best interests of all rightfully concerned parties.

If the Board or staff have any questions or are in need of our further attention in this matter please feel free to contact me personally for any assistance either myself, or my NGO, might provide.

We appreciate this formal opportunity to strongly support the District in the ongoing remediation endeavor.

Sincerely,

Roger E. Bütow

**Roger E. Bütow Founder & Executive Director
Clean Water Now! Coalition (Established 1998)**

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Mission Statement:

"The Clean Water Now! Coalition is dedicated to the protection, restoration and preservation of aquatic and riparian ecologies worldwide."