

Appendix E:
Cordoba Center Project – Response to Concerns
Regarding Project and Water Quality

Central Coast Regional Water Quality Control Board

January 3, 2019

Donald L. Walsh & Lucy M. Walsh
People's Coalition for Government Accountability (PCGA)
P.O. Box 23
Gilroy, CA 65021

via US Mail

Dear Mr. and Ms. Walsh:

CORDOBA CENTER PROJECT, 14065 MONTEREY ROAD, SAN MARTIN, SANTA CLARA COUNTY – RESPONSE TO CONCERNS REGARDING PROJECT AND WATER QUALITY

Central Coast Regional Water Quality Control Board (Central Coast Water Board) staff reviewed your facsimile dated October 1, 2018 (received on October 4, 2018), which included various documents pertaining to the proposed Cordoba Center project (15.8 acres) in San Martin. Central Coast Water Board staff reviewed the information you provided, Ascent Environmental Inc.'s Draft Environmental Impact Report (Draft EIR) dated May 30, 2018¹ prepared for Santa Clara County, and Department of Planning and Development (County Planning) and Santa Clara County, Environmental Health's (County Health) Onsite Systems Manual dated May 2014², and the Local Agency Management Program (LAMP) for Onsite Wastewater Treatment Systems³. Central Coast Water Board staff also reviewed the Total Maximum Daily Loads (TMDL) for Nitrogen Compounds and Orthophosphate in Streams of the Pajaro River Basin (Pajaro River Basin TMDL)⁴.

The majority of the information you provided and other files we currently have available for this project, focus on the project's potential impacts to both surface water and groundwater quality. After thorough consideration and technical evaluation of the available information from a water quality perspective, Central Coast Water Board staff reaffirms that the Cordoba Center project poses minimal to no threat to surface water or groundwater resources when constructed as described in the County Planning's Draft EIR and in accordance with the County's LAMP.

Summary

Central Coast Water Board staff reviewed the information in context with County Planning's Draft EIR, prepared as part of the County Planning's California Environmental Quality Act (CEQA) process. Central Coast Water Board staff reviewed "Appendix F (Groundwater Studies)" of the

¹ Draft EIR: <https://www.sccgov.org/sites/dpd/Development/Current/Pages/2145.aspx>

² Onsite Systems Manual: https://www.sccgov.org/sites/cpd/programs/LU/Documents/LU_Onsite_Systems_Manual.pdf

³ See: <http://www.co.monterey.ca.us/home/showdocument?id=64073>

⁴ USEPA approved the Parajo River Basin TMDL on October 6, 2016. For text, see California Code of Regulations: [https://govt.westlaw.com/calregs/Document/I99D49A0B810542CF8BBDBB8361D189E4?viewType=FullText&originationContext=documenttoc&transitionType=CategoryPageItem&contextData=\(sc.Default\)&bhcp=1](https://govt.westlaw.com/calregs/Document/I99D49A0B810542CF8BBDBB8361D189E4?viewType=FullText&originationContext=documenttoc&transitionType=CategoryPageItem&contextData=(sc.Default)&bhcp=1)

Draft EIR related to the proposed project⁵ as well as County Health's LAMP. Central Coast Water Board staff also previously and independently evaluated similar water quality concerns raised regarding the proposed onsite wastewater treatment systems and cemetery in our letters dated February 19, 2013 and July 26, 2018⁶.

Since 2013, County Planning has required the Cordoba Center applicants to perform multiple studies to further evaluate potential impacts of the project to surface water and groundwater resources on the project property and surrounding parcels. The project applicants also considered other development proposals. These studies are part the Draft EIR in Appendix F and provide further site-specific engineering and geologic information. The site-specific studies detail investigatory findings and conclusions related to the proposed center's operations (cemetery, orchard, caretaker's residence, event center, etc.) including project location, soil type, depth to groundwater, distance to Llagas Creek, site topography, flood zones, irrigation and landscape management, and local climatology. Most importantly, Draft EIR, Appendix F includes calculations of nutrient, pathogen, and total dissolved solids (i.e. salts) loading relative to soil conditions and depth to groundwater from onsite wastewater treatment facilities (for the event center and caretaker's residence) and burial activities. In all cases, the nitrate loading to groundwater is localized and will not cause detrimental effects on groundwater quality in the Llagas Subbasin.

In addition, the County will need to require the Cordoba Center to install an onsite wastewater treatments system in accordance with the County's LAMP, which requires the septic tank and the dispersal field to be at least 100 feet from a watercourse. We understand that the Cordoba Center's onsite wastewater treatment system, which includes supplemental treatment, is proposed to be located at least 150 feet from the top of the bank of Llagas Creek. Supplemental treatment is a device or system used in an onsite wastewater treatment systems that performs additional wastewater treatment functions, beyond primary treatment, and is capable of reliably producing wastewater effluent of secondary quality or better, prior to discharge to the dispersal system. Therefore, the proposed system will be installed in accordance with the requirements of the LAMP.

Total Maximum Daily Load

As shown in Attachment 1, the Cordoba Center location is not located adjacent to a Llagas Stream reach that has been identified as impaired for nutrient water quality criteria and biostimulation indicators (see Pajaro River Basin TMDL⁷). Additionally, for those impaired reaches identified in the Pajaro River Basin TMDL, onsite wastewater treatment systems were considered negligible sources of pollution and irrigated agriculture was identified as contributing the majority of the controllable nutrient loads to streams. The Cordoba Center location is located adjacent to a Llagas Stream reach that is considered high quality waters.

Conclusion

It is Central Coast Water Board staff's professional opinion that County Planning, as the lead regulatory agency for CEQA, has adequately considered the Cordoba Center's proposed project's ability to impact and impair surface water and groundwater quality. Additionally, the county of Monterey Health Department will permit the septic system in accordance with the Local Agency

⁵ Draft EIR, Appendix F, Groundwater Studies

https://www.sccgov.org/sites/dpd/DocsForms/Documents/2145_ApdxF_Groundwater.pdf

⁶ See Central Coast Water Board staff letters dated February 19, 2013 and July 26, 2018:

http://geotracker.waterboards.ca.gov/profile_report.asp?global_id=T10000011833

⁷ Pajaro River Basin TMDL

https://www.waterboards.ca.gov/centralcoast/water_issues/programs/tmdl/docs/pajaro/nutrients/

Management Program that is approved by the Central Coast Water Board. Currently, Central Coast Water Board staff continue to concur with the technical analyses, recommendations, and conclusions of the Draft EIR. This determination is consistent with previous Central Coast Water Board staff analyses in response to concerns raised for the proposed project related to potential impacts to surface water and groundwater quality.

If you have any questions please contact Thea Tryon at (805) 542-4776 or at thea.tryon@waterboards.ca.gov.

Sincerely,

for John M. Robertson
Executive Officer

Attachment 1: Map of Stream Reaches Exhibiting Biostimulatory Impairments in the Pajaro River Basin

cc:

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CR#: n/a

GeoTracker global id: T10000011833

Attachment 1: Stream Reaches Exhibiting Biostimulatory Impairments in the Pajaro River Basin

Source: Total Maximum Daily Loads for Nitrogen Compounds and Orthophosphate in Streams of the Pajaro River Basin

Note: Cordoba Center Project location is depicted on the map as a star. ★

