

Paoli, Diana

From: cdd
Sent: Wednesday, May 14, 2025 2:43 PM
To: City Clerk
Subject: FW: Public Comment -- 5/14/25 PC Mtg., Item No. 6A, Desal Buoy Pilot Project

From: Jacob Patterson <jacob.patterson.esq@gmail.com>
Sent: Sunday, May 11, 2025 11:53 AM
To: cdd <cdd_fortbragg_com@fortbraggca.gov>
Cc: Whippy, Isaac <iwhippy@fortbraggca.gov>
Subject: Public Comment -- 5/14/25 PC Mtg., Item No. 6A, Desal Buoy Pilot Project

Planning Commission & Staff,

Uncharacteristically, I have little to say about this draft IS/MND because I think it is solid. I am concerned, however, that the IS/MND is not included in the agenda materials and is thus not actually easily available for public review if you don't know where to find it on your own (e.g., on the City's website). I actually think this is procedurally improper, particularly since the IS/MND is listed in the staff report as the first attachment but is not actually attached. It isn't available for review as an attachment and it isn't included in the published agenda packet in PDF form. In fact, you might even need to continue this hearing because of that significant issue. I would advise as such if I were your legal counsel but the City Attorney's office often appears to be "out to lunch" or not paying attention so who knows what advice you will get... I bet they didn't even check the agenda materials and assumed staff uploaded everything when the meeting was published. In general, even if you can find a record someplace, a formal public hearing actually needs to include all of the documents under review, particularly the document you are being asked to review and approve. Perhaps this is due to very recent staffing changes in CDD.

Despite the IS/MND being largely sufficient for CEQA purposes (at least for those of us who got to read it), I am wondering if it allows for the possibility of leaving the installed equipment in place after the 12-month study period. I think it could be more environmentally impactful to remove everything, particularly the water lines, than take it out. Also, if we leave it in place, we might be able to start using the water as a source of fresh water rather than just dumping the treated water back into the ocean as is planned. I know that is a permitting issue but it seems worth exploring that possibility. Just being a study site and not getting to use any of the treated water seems like a waste to me. If we would need to apply for modified permits, we should retain that option, and the best, most-affordable way to do that is for the CEQA review to include that possibility.

One thing I don't fully understand from this document is how much of the piping will be visible between the ocean surface and the WWTF. This approval is a little weird because it isn't paired with the relevant permits because we aren't the primary permitting agency but we should still have some oversight over the land-based components and I would have liked to have that information available since it is relevant to the aesthetic impacts. For example, we know that the pipeline will be attached to the face of the bluff but not what it will look like. IMO, we should have visual simulations so we can determine if we need to do anything to address the visuals like limiting the colors to something that blends in with the bluffs rather than a contrasting color. I wouldn't want bright orange piping, for example.

Regards,

--Jacob