



**The Otter Project**

www.otterproject.org

March 20, 2006

Mr. Jeffrey Young  
Regional Water Quality Control Board  
895 Aerovista Way, Suite 101  
San Luis Obispo, CA 93401-7906

Re: Morro Bay Cayucos Wastewater Treatment Plant

Dear Chair Young, Board Members, and Staff:

The Otter Project is in support of improving the Morro Bay Cayucos Sanitary District (MBCSD) wastewater treatment plant. For many years the District has operated on waivers from the Clean Water Act. While other coastal communities of similar size and tax-base have embraced the responsibilities of meeting basic national standards, MBCSD has continued to avoid these responsibilities for nearly 20 years.

We applaud MBCSD's decision to upgrade their plant and operations and conform to the decades old Clean Water Act. We are concerned however that the protracted timeline is yet another effort to avoid taking full responsibility and coming into compliance as soon as is possible.

The Otter Project is troubled by MBCSD's criticism of the details of NRDC and the greater environmental community's position, while ignoring the greater issue: MBCSD's responsibility to comply with clean water standards. What ever happened to any discussion of exceeding standards as an act of responsible stewardship?

The Otter Project does not want to be dragged into a debate on *toxoplasmosis*, where it might originate from, and/or whether it might be a primary cause of elevated sea otter mortality. Instead, we want to stress that we all, as individuals, communities, and utilities have a responsibility to not pollute; coastal communities have increased obligations.

However, MBCSD's response to the Regional Water Quality Control Board was riddled with errors and faulty assumptions. In addition, the response listed The Otter Project as a primary source for much of its information - sloppiness that we cannot ignore or leave uncorrected in the record.

The Otter Project's website offers a great deal of information including USGS survey and stranding reports, and pdfs of scientific literature. Listing of The Otter Project first in the citation implies The Otter Project is the primary source, this is not

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the case. We request that MBCSD provide a written and verbal correction; we will post this correction on our website and we request MBCSD post it on theirs. By repeatedly listing The Otter Project as a primary source to support its' position, the MBCSD implies (perhaps without intent) The Otter Project agrees with that position - this is not the case.

We would also like to take this opportunity to very briefly clarify some of the statements made in MBCSD's response to the RWQCB.

7b - The southern sea otter is in a state of decline. The California sea otter population has been decimated in comparison to its estimated abundance of approximately 16,000 animals in the 17 and 1800's. While it is difficult to count any population, standardized counts indicate that the overall population has very slowly grown over the past 75 years. The California otter population growth rate is depressed in comparison to other sea otter populations. Most scientists believe the southern sea otter population has slightly increased or remains stable after a modest decline in the mid to late 1990's. In addition, the number of reproductive females has become static or is in decline, leaving great concern over the viability of the population. Today, there are approximately 2800 southern sea otters. It is most accurate to say that the southern sea otter population is slowly growing in fits and starts. The population remains "threatened" under the Endangered Species Act and "depleted" under the Marine Mammal Protection Act. Long term prospects for the population are guarded, at best.

7c - The otter population is potentially near carrying capacity, and is therefore not imbalanced. Sea otter populations are much too patchy to look at any single area and say it is or is not near carrying capacity. Due to its relatively calm water, Estero Bay may simply be a good place to rest and perhaps otters congregate there. The abundance of quality rocky habitat to the north at Point Estero and to the south at Point Buchon makes the simple computation of a sandy habitat carrying capacity meaningless. Further, the number of sea otters found emaciated is very low, perhaps contradicting the notion that the population is at carrying capacity.

7d - Higher stranding numbers in the Estero Bay area are expected, and they do not contradict the presence of an otter BIP. The response seems to suggest that otter carcasses may be drifting into Estero Bay from afar. While it is true that otter carcasses can drift, the proportion of fresh dead animals indicates they are from the local population.

While otter carcasses may be more visible along the sandy beaches of Monterey and Estero Bays, that fact has not changed; increases in strandings most likely reflect increases in death.

