

## **What is Channelkeeper's role in this lawsuit?**

### **What steps did Channelkeeper take to resolve this situation prior to filing this lawsuit?**

Over the past few years, Channelkeeper and others have explored many different avenues to call attention and find remedies to address the excessive pumping and diversion:

- Channelkeeper formally petitioned, in written and oral comments, both the Regional Water Quality Control Board and EPA to develop regulations to address this problem, yet these agencies chose not to act.
- Channelkeeper also had discussions with the National Marine Fisheries Service, which recognized the risk to endangered species in the river and attempted to regulate the City's over pumping. However, the City deliberately and effectively circumvented a significant portion of those regulatory efforts.
- NRDC, Ventura Coastkeeper, Heal the Bay, and Center for Biological Diversity have all engaged with the regulatory agencies and the City in an effort to abate the impacts of pollution and pumping and diversions on the Ventura River—with limited results.
- The City of Ventura is already acutely aware of the problem. They even hired a team of professional hydrologists to study the impacts that its pumping and diversion is having on the river. These studies concluded that when flows decline to a certain point, the City's pumping has a significant negative impact on the river and endangered species. However, despite being keenly aware of this, the City has continued to pump at consistent and significant rates long past the point where the river itself is totally dry.
- For all these reasons, we decided that our only viable alternative was to file this lawsuit.

### **Why did Channelkeeper pursue litigation rather than take an administrative process route?**

The State Water Board determined over 16 years ago that the Ventura River is impaired by pumping and diversions, and yet has done nothing to address the problem. The administrative process has failed, and Channelkeeper ultimately concluded that intervention by the Court is required to compel action.

### **Channelkeeper has filed several other lawsuits in the past—is your organization too focused on lawsuits over other methods?**

Channelkeeper turns to litigation as a last resort and only after careful deliberation. Over the past few years, Channelkeeper and others have explored many different avenues to call attention to this problem. To date, the City of Ventura has still not taken action apart from deliberately circumventing efforts to address its over-pumping. For these reasons we decided our only viable alternative was to turn to the Court.

### **Does Channelkeeper get money from suing?**

No—Channelkeeper receives no monetary benefit from this lawsuit. Channelkeeper's lawsuit seeks simply to compel the State Water Board to fulfill its duty and conduct the analysis it is required by law to do.

### **What does Channelkeeper get out of this lawsuit?**

The lawsuit falls directly in line with Channelkeeper's mission to protect and restore the Santa Barbara Channel and its watersheds. By filing this lawsuit, Santa Barbara Channelkeeper seeks simply to compel the State Water Board to fulfill its duty to prevent the unreasonable use of the Ventura River by conducting the Reasonable Use Analysis it is required by law to do. That analysis can then be used to determine what steps must be taken to ensure the ongoing survival of the river and the life it sustains.

### **I thought Channelkeeper's focus was on water quality. Why is it getting involved in a water supply issue?**

Channelkeeper's mission is to protect and restore the Santa Barbara Channel and its watersheds from *all* threats, including over-pumping. Over-pumping has resulted in the elimination of critical habitat as well as the impairment of downstream water quality in the Ventura River. When in-stream flows are too low, water temperature rises and algae blooms, reducing the amount of oxygen in the water which fish and other aquatic species need to survive.