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## Heal the Bay

April 18, 2019

Renee Purdy, Executive Officer  
California Regional Water Quality Control Board  
Los Angeles Region  
320 W 4<sup>th</sup> Street, Suite 200  
Los Angeles, CA 90013

Sent via e-mail to: [losangeles@waterboards.ca.gov](mailto:losangeles@waterboards.ca.gov)

### **RE: TENTATIVE WASTE DISCHARGE REQUIREMENTS (WDRS) AND NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) PERMIT FOR JOINT OUTFALL SYSTEM, WHITE POINT OUTFALL.**

To Ms. Purdy:

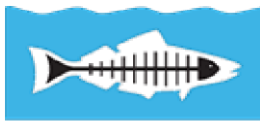
Heal the Bay is a non-profit environmental organization with over 30 years of experience and 15,000 members dedicated to making the coastal waters and watersheds of Greater Los Angeles safe, healthy and clean. On behalf of Heal the Bay, we respectfully submit the following comments in response to the Tentative Waste Discharge Requirements (WDRs) and National Pollutant Discharge Elimination System (NPDES) Permit for Joint Outfall System, White Point Outfall (Tentative Permit). These comments are also in response to the Joint Water Pollution Control Plant's (JWPCP) Clearwater Program (the JWPCP Program) to construct a new effluent outfall tunnel from the JWPCP to the White Point Outfall Manifold.

Heal the Bay's major organizational goals are to cultivate thriving oceans and healthy watersheds, and to promote smart water practices to increase local resilience. In review of the Tentative Permit, we recognize three actions that can be taken to enhance the JWPCP Program in the context of these goals:

- If dilution credits apply to the chronic toxicity testing at Discharge Points 001 and 002, the Los Angeles Regional Water Quality Control Board (Regional Board) should require acute toxicity testing under the monitoring and reporting program.
- Beneficial reuse of groundwater generated from construction dewatering should be considered under the JWPCP Program.
- The reuse of recycled water should remain the priority for JWPCP to increase local resilience through smart water practices.

These comments are discussed in further detail below.

**If dilution credits apply to the chronic toxicity testing at Discharge Points 001 and 002, the Regional Board should require acute toxicity testing under the monitoring and reporting program.** The Tentative Permit states that dilution credits are applied at Discharge Points 001 and 002. If these dilution credits apply to the chronic toxicity testing it would be possible for acute toxicity testing to show toxicity in situations where chronic toxicity is not demonstrated. If the permittee is allowed to apply dilution credits to chronic toxicity testing, there should be requirements for acute testing without these credits applied. Dilution credits should never be applied to acute toxicity because the toxicological effect of morbidity is too severe. We request that the Regional Board require acute toxicity testing under the monitoring and reporting program.



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**Beneficial reuse of groundwater generated from construction dewatering should be considered under the JWPCP Program.** The permittee “anticipates the discharge of groundwater generated from construction dewatering to be continuous during the construction period from February 2024 through July 2026.”<sup>1</sup> At a design capacity of 1.44 million gallons per day (MGD), this project has the potential to generate a significant amount of discharge. The California Constitution requires the state’s water resources be put to beneficial use and that the waste or unreasonable use of water be prevented<sup>2</sup>. Therefore, we encourage the permittee to consider beneficial reuse of groundwater from construction dewatering under the JWPCP Program.

The proximity of the project location to the ocean will likely cause the groundwater generated from construction dewatering to have high salinity values, limiting the potential for beneficial reuse. However, we encourage the permittee to investigate any feasible options for beneficial use of the groundwater to avoid the waste or unreasonable use of the state’s water resources. We recommend that the Regional Board require assessment of water quality to determine if beneficial reuse is feasible.

**The reuse of recycled water should remain the priority for JWPCP to increase local resilience through smart water practices.** JWPCP is currently pursuing a pilot project to expand their facility and divert up to 150 MGD of treated wastewater to spreading grounds for groundwater recharge. The construction project specifically associated with this Tentative Permit is in place to upgrade the piping used for ocean discharge to comply with the seismic design requirements<sup>3</sup>, in order to secure a reliable conveyance system for the remaining 110 MGD of expected flow,<sup>4</sup> which includes the brine discharge.

As stated above, The California Constitution requires the state’s water resources be put to beneficial use and that the waste or unreasonable use of water be prevented. Additionally, the California State Water Resources Control Board made a statewide goal to recycle 1.5 million acre-feet (MAF) of wastewater by 2020, and 2.5 MAF by 2030; and, in December of 2018, the State Board adopted its revised Recycled Water Policy with the goal to recycle all dry-weather ocean wastewater discharges statewide. Locally, Mayor Garcetti announced his goal for Los Angeles to recycle 100% of its wastewater by 2035 to increase to the amount of water we source locally.

Therefore, the reuse of recycled water should remain the priority for JWPCP to increase local resilience through smart water practices. We support the efforts made towards recycled water reuse at the JWPCP facility. As such, we encourage the permittee to either increase the proposed amount of water to be diverted to the spreading ground or to explore other reuse options to maximize the beneficial reuse of JWPCP treated wastewater, and to potentially scale back the current JWPCP Program to account for future reduction in ocean discharge amounts.

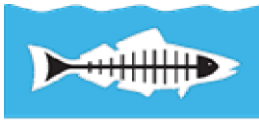
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<sup>1</sup> California Regional Water Quality Control Board, Los Angeles Region. *Waste Discharge Requirements for the Joint Outfall System, White Point Outfall Manifold Construction Dewatering Project discharge to the Pacific Ocean: Order No. R4-2019-XXXX, NPDES No. CA0064661*. Pg. F-4.

<sup>2</sup> State of California. *California Constitution, Article X: Water, Section 2*.

<sup>3</sup> Sun, Y. et al. 2017. *Lining Design Solutions to Seismic Fault Offsets in the JWPCP Effluent Outfall Tunnel*.

<sup>4</sup> Current flow is 260 MGD on average. If 150 MGD is diverted to spreading grounds, 110 MGD will continue to be discharged to the Pacific Ocean.



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Thank you for this opportunity to comment on the Tentative Waste Discharge Requirements (WDRs) and National Pollutant Discharge Elimination System (NPDES) Permit for Joint Outfall System, White Point Outfall. We look forward to open communication with the Regional Board and with the Joint Water Pollution Control Plant as we work towards a healthy and resilient community in Los Angeles County. If you have any questions concerning this comment letter, please contact Annelisa Moe via e-mail at [amoe@healthebay.org](mailto:amoe@healthebay.org), or by telephone at (310) 451-1500 X115.

Sincerely,

Annelisa Ehret Moe  
Water Quality Scientist  
Heal the Bay

cc by e-mail: Ching-Yin To, Water Resources Control Engineer, California Regional Water Quality Control Board, Los Angeles Region. [Ching-Yin.To@waterboards.ca.gov](mailto:Ching-Yin.To@waterboards.ca.gov)

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