



December 21, 2016

San Diego Regional Water Board  
2375 Northside Drive, Suite 100  
San Diego, CA 92108-2700

Re: Comment – Tentative Order No. R9-2017-0007  
Support of Point Loma Wastewater Treatment Plant NPDES Modified Permit Renewal

Dear Chair Abarbanel and Board Members:

On behalf of the 12 public agencies that make up the Metro Commission we appreciate the opportunity to comment on Item 11 and also want to recognize the Regional Board's support for the Pure Water Program and water recycling in general.

The Participating Agencies in the Metro Wastewater System comprise about one-third of the system flows and finances and have a long and productive history of working together with the City of San Diego to address regional issues of wastewater treatment, disposal and reuse. Since the early 1990s and the development of the City's Clean Water Program our agencies have consistently supported and engaged in partnering with the City to develop a successful strategy that will lead to long term Clean Water Act compliance for the Metro system. That engagement has continued through the development and implementation of the Pure Water Program and is evidenced by its October 2014 resolution approved by the Metro Commission/JPA supporting the Point Loma Wastewater Treatment Plant NPDES Modified Permit application. The application included the near term goal of producing 15 mgd of potable reuse water by 2023.

Consistent with that Resolution, the Metro Commission/JPA strongly supports the efforts and goals of Pure Water and is deeply invested in its success and the multiple benefits it brings to the region. **We urge the Regional Board to approve the Modified NPDES Permit as it is currently proposed.** We also **strongly oppose** the suggestions by some environmental groups to add additional conditions to the Modified NPDES permit specifically including a requirement that the City of San Diego implement the accelerated schedule and expanded capacity currently being planned for Phase 1.

In 2014, the City of San Diego entered into a cooperative agreement with the environmental stakeholders in support of the Pure Water Program. The cooperative agreement specifically outlined, to the mutual agreement of the parties, Pure Water program implementation deadlines and milestones. Although Metro Commission/JPA is not a signatory to the cooperative agreement, we strongly support the provisions within the agreement and believe it is the best path to reach long term Clean Water Act compliance while creating a new source of local water supply and reduce ocean discharge at the most affordable manner.

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## The Joint Powers Authority Proactively Addressing Regional Wastewater Issues

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County of San Diego, representing East Otay, Lakeside/Alpine, Spring Valley & Winter Gardens Sanitation Districts

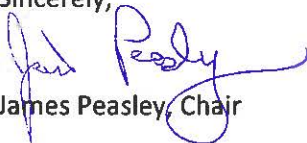
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The City of San Diego as the NPDES permit holder and the owner of the treatment facilities has determined that a potential increase in capacity and an accelerated construction schedule of Phase 1 of Pure Water is more cost effective. That decision is voluntary and discretionary on the part of the City and is not reflective of the modified Permit Application or should it be seen as a needed change to the schedule and project definition as part of the 401(h) process. We strongly urge you not to include the increased capacity and accelerated schedule as a condition of approval of the Modified NPDES Permit. Such a condition would remove any flexibility in the time necessary to design, construct and operate well over \$1 Billion in infrastructure. The City and the Metro agencies have shown extreme good faith in moving forward to plan and implement Pure Water and achieve long term Clean Water Act compliance.

The current conditions and milestones included in the Modified Permit should be considered as a minimum requirement and was agreed to by all stakeholders, not the accelerated and enlarged system being voluntarily pursued by the City as the maximum Phase 1 capacity. We believe it would be punitive to include a condition that would result in significantly less flexibility to address potential cost issues or other complexities that may arise and limit the ability to protect the many Metro system ratepayers that could be impacted.

Additionally, it has been suggested that the environmental stakeholders support a policy of zero ocean discharge. The Metro Commission believes it is important to understand the full ramifications of such a policy to the residents and businesses of California and San Diego County. When the financial cost to ratepayers is closely examined and the physical feasibility to divert all discharges is evaluated, including brine lines, the impracticable nature of implementing something on that scale is apparent. Importantly, there is no path under discussion with public health regulators that would even consider being able to enable compliance with such a policy. Zero discharge is not a requirement of the Clean Water Act or the Porter Cologne Act, the State Ocean Plan or any state of California or federal policy. There is no proven scientific basis to assume that ocean discharges, especially deep ocean discharges such as those through the Point Loma Ocean Outfall, do any significant harm to the marine environment. We strongly urge the Regional Board not to consider or adopt any policy of favoring zero ocean discharge. Thank you for the opportunity to comment on this item.

Sincerely,

  
James Peasley, Chair