

**BOARD OF DIRECTORS**  
**Lee Wilson, Chairman**  
NORTHROP GRUMMAN SHIPBUILDING/  
CONTINENTAL MARITIME  
**Richard Bartell, Vice Chairman**  
BARTELL HOTELS

**Ray Ashley**  
MARITIME MUSEUM  
**Mark Bailey**  
CHESAPEAKE FISH COMPANY  
**Susan Baumann**  
BALI HAI RESTAURANT  
**Terry Buis**  
BAE SYSTEMS SAN DIEGO SHIP REPAIR

\* **R.A. Carpenter**  
R.E. STATE ENGINEERING  
**Paul Corso**  
DIXIELINE LUMBER  
**Randy Dick**  
FIVE STAR PARKING  
**Ted Eldredge**  
MANCHESTER RESORTS  
**Uri Feldman**  
SUNROAD ENTERPRISES

\* **Rick Ghio**  
ANTHONY'S FISH GROTTO  
**Bill Hall**  
VIVISTAR  
**Aimee Heim**  
GENERAL DYNAMICS NASSCO  
**Barrett Jung**  
DOLE FRESH FRUIT  
**Ted Kanatas**  
MANCHESTER GRAND HYATT RESORT

**Eric Leslie**  
HARBOR ISLAND WEST MARINA  
**Giovanni LoCoco**  
KNIGHT & CARVER  
**Dick Luther**  
Richard Luther, ATTORNEY AT LAW  
**Mike McDowell**  
ATLAS KONA KAI  
**Mac McLaughlin**  
USS MIDWAY MUSEUM  
**Jack Monger**  
The Monger Company  
**Steve Pagano**  
San Diego Marriott Hotel & Marina

\* **George Palermo**  
San Diego Harbor Excursions  
\* **Edward Plant**  
SAN DIEGO REFRIGERATION SERVICES  
\* **H.P. "Sandy" Purdon**  
SHELTER COVE MARINA  
**Bill Roberts**  
SHELTER ISLAND BOATYARD  
**Todd Roberts**  
MARINE GROUP BOATWORKS  
**Keri Robinson**  
SHERATON SAN DIEGO HOTEL & MARINA  
**Ahmad Solomon**  
SDG&E  
**Gary Sullivan**  
GOODRICH  
**Jim Unger**  
HORNBLOWER CRUISES & EVENTS  
**Bruce Walton**  
TERRAMAR RETAIL CENTERS  
**Perry Wright**  
CONSIDINE & CONSIDINE

**Director Emeritus**  
\* **Arthur E. Engel**  
**Tom Fetter**  
**Thomas A. Driscoll**  
\* **Pete Litrenta**  
**Douglas Manchester**  
**Karen McElliott**

**STAFF**  
**Sharon Bernie-Cloward**  
PRESIDENT  
**Kristin Peterson**  
DIRECTOR OF OPERATIONS

\* **SDPTA Past Chairmen**



## SAN DIEGO PORT TENANTS ASSOCIATION

December 9, 2010

San Diego Regional Water Quality Control Board  
9174 Sky Park Court, Suite 100  
San Diego, CA 92123  
Attn: Michelle Mata

Via email: [mmata@waterboards.ca.gov](mailto:mmata@waterboards.ca.gov)

RE: Tentative Order No. R9-2010-0124, General Permit No. CAG99902  
General Waste Discharge Requirements for the Display of Fireworks

Dear Ms Mata:

The San Diego Port Tenants Association (SDPTA) is a non-profit organization of businesses who lease land along the tidelands of San Diego Harbor. The two underlying objectives of the SDPTA are to collectively represent and promote a united forum of port tenants and advance and promote the common and mutual business interests of its members.

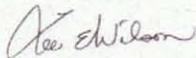
The SDPTA hereby provides the following, in regard to the San Diego Water Board's December 16, 2010 workshop allowing interested persons the opportunity to comment on Tentative Order No. R9-2010-0124:

1. The initial and annual application fee of \$1,452 applies to an event sponsor whether one event or multiple events are performed in a yearly period. This seems very unfair to sponsors conducting only one event per year.
2. Clarify that the tentative order does not require or intend to require surface water quality monitoring on a per event basis.
3. The tentative order requires dischargers to either form or join a regional water body-monitoring coalition or conduct individual monitoring. Can the RWQCB provide specific examples of existing regional water body-monitoring coalitions that are currently conducting monitoring and the goals and objectives of these coalitions?
4. The State Water Resources Control Board's Water Quality Control Plan for Enclosed Bays and Estuaries – Part 1 Sediment Quality (Effective August 25, 2010), Section V, Benthic Community Protection guidance is identified as the

5. assessment tool for monitoring surface water (referred to as the Sediment Quality Objective [SQO] guidance). As is stated in the guidance document in Section C. Applicable Waters, "Part 1 does not apply to ocean waters\* including Monterey Bay and Santa Monica Bay, or inland surface waters\*." This fact needs to be clarified in the tentative order.
  
6. The tentative order indicates that the number of fireworks displays at Sea World averages between 110 and 120 events per year. The tentative order also states "SeaWorld's sediment chemistry monitoring results show higher levels of pollutants associated with fireworks events within the sediment in the fireworks deposition zone (FDZ), particularly for barium, chromium, cobalt, copper, silver and titanium. Results from short-term survival sediment toxicity sampling were highly variable spatially and temporally within the FDZ, and temporally within the reference sites. Samples in the reference sites and FDZ range from non-toxic to highly toxic making it difficult to detect any difference in short term toxicity. Discharges from SeaWorld's public fireworks events represent the highest level of water and sediment effects because 1) Mission Bay is unique due to the restricted circulation of waters within the bay, the shallow depth of the bay in the vicinity of the fireworks events, and 2) the high frequency of repeat fireworks events throughout the year at the same location results in maximum pollutant loading." Based upon the inconclusive results to date for the multi-year Sea World monitoring program, which is conducted within an area that the RWQCB describes as having the highest potential for fireworks-related water and sediment effects, it is unclear how the proposed integrated SOQ program would be able to identify fireworks-specific impacts to the benthic community in locations that experience a small fraction of the events that Sea World conducts per year, over a wider expanse (e.g., San Diego Bay). Please clarify.

Thank you for your kind attention to our comments. We look forward to meeting you at the workshop.

Sincerely,



Lee E. Wilson  
Chairman of the Board

CC: Sharon Cloward, Jim Unger, Sandy Purdon, Craig Anderson, John Lormon, Barry Snyder, Dr. Ray Ashley, Pat Pfohl, Jennifer Ringle, David Gibson