

**California Regional Water Quality Control Board  
San Diego Region**

**U.S. Environmental Protection Agency, Region IX**

# **Response to Comments Report**

**Tentative Order No. R9 2017-0007  
NPDES NO. CA0107409**

***Waste Discharge Requirements and  
National Pollutant Discharge Elimination System Permit  
for the City Of San Diego  
E.W. Blom Point Loma Wastewater Treatment Plant  
Discharge to the Pacific Ocean  
through the Point Loma Ocean Outfall***

**April 12, 2017**

**U.S. ENVIRONMENTAL PROTECTION AGENCY (USEPA), REGION IX**

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San Diego Region  
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## Introduction

This report contains the San Diego Water Board and USEPA, Region IX responses to written and oral comments received on Tentative Order No. R9 2017-0007, *Waste Discharge Requirements and National Pollutant Discharge Elimination System Permit for the City of San Diego E.W. Blom Point Loma Wastewater Treatment Plant Discharge to the Pacific Ocean through the Point Loma Ocean Outfall* (Tentative Order). USEPA, Region IX did not receive any comments on the Technical Decision Document.

The San Diego Water Board and USEPA, Region IX provided public notice of the release of the Tentative Order and Technical Decision Document on October 28, 2016 and provided a period of 54 days for public review and comment. The San Diego Water Board and USEPA, Region IX conducted a joint Public Hearing during the December 14, 2016 meeting of the San Diego Water Board. The Public Hearing provided the public an opportunity to provide comments on the Tentative Order and Technical Decision Document. The public comment period ended on December 21, 2016.

The San Diego Water Board and USEPA, Region IX revised the Tentative Order based on the comments received between October 28, 2016 and December 21, 2016. The San Diego Water Board and USEPA, Region IX provided public notice of the release of the revised Tentative Order on February 10, 2017 and provided a period of 14 days for focused public review and comment on proposed revisions to the Schedule for Pure Water San Diego Potable Reuse Tasks in section VI.C.6 (formerly section VI.C.7) of the Tentative Order, which were a logical outgrowth of the original proposed schedule. The public comment period for the proposed schedule revisions ended on February 24, 2017.

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### **Comments and Responses**

The written and oral comments and staff responses are set forth in the table that follows. The San Diego Water Board and USEPA, Region IX organized the comments according to the comment period and then according to the person who submitted the comment. The table includes the San Diego Water Board and USEPA, Region IX's response to the comment, and any actions taken to revise the Tentative Order in response to the comment.

No.	Comment	Response	Action Taken
<b>Halla Razak, City of San Diego, written comments dated November 30, 2016 and oral comments at December 14, 2016 Board Meeting</b>			
1	The City of San Diego requested a revised reasonable potential analysis (RPA) of tetrachlorodibenzodioxin (TCDD) equivalents. The maximum effluent concentration (MEC) for TCDD equivalents in Table F-11 of the Tentative Order appears to be wrong.	The San Diego Water Board and USEPA, Region IX have re-evaluated and corrected the data used for the RPA and determined that there is not a reasonable potential for TCDD equivalents to cause or contribute to an exceedance of water quality objectives contained within the <i>Water Quality Control Plan, Ocean Waters of California, California Ocean Plan (Ocean Plan)</i> . Accordingly a water quality-based effluent limitation is not required for TCDD equivalents in accordance with title 40 of the Code of Federal Regulations section 122.44 (d)(1)(iii). The San Diego Water Board and USEPA, Region IX have modified the Tentative Order to replace the effluent limitations for TCDD equivalents with performance goals.	Modified <ul style="list-style-type: none"> <li>• Section IV.A, Tables 5 and 6</li> <li>• Attachment F, section IV.C.3, Table F-11, and two paragraphs after Table F-11</li> <li>• Attachment F, section IV.C.4, Tables F-14 and F-15</li> </ul>
2	In the Monitoring and Reporting Program (Attachment E), the City of San Diego requested the San Diego Water Board and USEPA, Region IX change the units for total coliform, fecal coliform, and enterococcus from “colony forming units per 100 milliliter” to “units per 100 milliliter” based on the monitoring methods available for the effluent.	The San Diego Water Board and USEPA, Region IX have modified the Tentative Order as requested, in order to match the units with the outcome of the monitoring methods available for the effluent.	Modified Attachment E, section III.B, Table E-4
3	The Tentative Order requires continuous monitoring for total chlorine residual. Due to a lack of reliable technology, the City of San Diego requested that the monitoring requirement for total chlorine residual be modified to include the same method contained in its current Order: “at least four grab samples per day, representative of the daily discharge, shall be collected immediately prior to entering the [Pt. Loma Ocean Outfall] PLOO and analyzed for total chlorine residual.”  The City of San Diego also asked for clarification regarding how to calculate the mass emission rate (MER) for total chlorine residual.	Given the lack of reliable technology for continuously monitoring for total chlorine residual, the San Diego Water Board and USEPA, Region IX agree that it is reasonable to allow four grab samples per day in lieu of continuous monitoring.  Section VII.J.4 of the Tentative Order provides the methodology for calculating a total chlorine residual MER as follows:  “The MER, in lbs/day, shall be obtained from the following calculation for any calendar day: $MER (lbs/day) = 8.34 \times Q \times C$ , In which Q and C are the flow rate in million gallons per day (MGD) and the constituent concentration in mg/L, respectively, and 8.34 is a conversion factor	Modified Attachment E, section III.B, Table E-4

No.	Comment	Response	Action Taken
		(lbs/gallon of water)." Q is the flow at the time the grab sample was taken and the C is the result from each grab sample.	
4	The City of San Diego requests an exception for shoreline monitoring in cases where access to the monitoring stations is hazardous due to stormy weather for more than five days.	The San Diego Water Board and USEPA, Region IX have modified the Tentative Order as requested to provide for waiving the requirement to sample at shoreline stations in the event of stormy weather which makes sampling hazardous.	Modified Attachment E, section IV.A.2
5	For the sediment monitoring requirements, Table E-7, the City of San Diego requests that the San Diego Water Board and USEPA, Region IX eliminate dissolved sulfides analysis and keep acid volatile sulfides (AVS). All previous data is AVS only. Using AVS allows new data to be consistent with past data and conforms to past practices.	The San Diego Water Board and USEPA, Region IX have modified the Tentative Order to require AVS monitoring only for historical data consistency.	Modified Attachment E, section IV.C.1.c, Table E-7
6	The City of San Diego points out that it is difficult to conduct all shoreline water quality monitoring required for the Point Loma Ocean Outfall and South Bay Ocean Outfall in one day. The City of San Diego requested removing "at the same time," from the last sentence in Attachment F, section VII.B.1.	The San Diego Water Board and USEPA, Region IX have modified the Tentative Order as requested to clarify that the City of San Diego does not need to complete all water quality monitoring on the same day.	Modified Attachment F, section VII.B.1
7	The City of San Diego requests a modification of the seventh Basin Plan Discharge Prohibition, changing the word "its" to "it."	The Basin Plan prohibition referenced in Attachment G of the Tentative Order states: "7. The dumping, deposition, or discharge of waste directly into waters of the State, or adjacent to such waters in any manner which may permit its being transported into the waters, is prohibited unless authorized by the San Diego Water Board."  Because the language cited matches the San Diego Basin Plan exactly, San Diego Water Board and USEPA, Region IX have not modified the Tentative Order.	None necessary
8	The City of San Diego pointed out several minor errors and suggested text to clarify the Tentative Order: <ul style="list-style-type: none"> <li>• Section VI.C.5.b.viii.(f): correct the address for Arizona Department of Environmental Quality.</li> </ul>	The San Diego Water Board and USEPA, Region IX have modified the Tentative Order as requested.	Modified <ul style="list-style-type: none"> <li>• Section VI.C.5.b.viii.(f)</li> <li>• Attachment E,</li> </ul>

No.	Comment	Response	Action Taken
	<ul style="list-style-type: none"> <li>• Attachment E, section III.B, Table E-4: Remove the requirements to calculate a MER for radioactivity.</li> <li>• Attachment E, section III.B, Table E-4: Remove footnote 4 because it is no longer necessary.</li> <li>• Attachment E, section III.C.3.b: Clarify that the <i>Dendraster excentricus</i> is an alternate species for <i>Strongylocentrotus purpuratus</i>, by adding the text “or the.”</li> <li>• Attachment E, section IV.A.2: Correct the footnote reference.</li> <li>• Attachment E, section IV.B.1, Table E-6: Correct the units for temperature and depth.</li> <li>• Attachment E, section IV.C.1.b: Correct the table reference.</li> <li>• Attachment E, section IV.D: Replace tissue with tissues.</li> <li>• Attachment E, section IV.D.2.a: Replace i.e. with e.g.</li> <li>• Attachment E, section IV.D.2.c: Correct the table reference</li> <li>• Attachment E, section IV.E.1: Correct the section reference</li> <li>• Attachment E, section IV.E.2: Correct the table reference.</li> <li>• Attachment E, section V.A: Modify/add to the description of the kelp report for clarity.</li> <li>• Attachment F, section IV.C.4.c: Correct the table reference.</li> <li>• Attachment F, section VI.B.6 (formerly section VI.B.7): Correct the table reference.</li> <li>• Attachment F, section VII.B.2: Replace ND with very low or ND.</li> <li>• Attachment F, section VII.B.3: Add reference to footnote for the U.S. section of the International Boundary and Water Commission.</li> <li>• Attachment F, section VII.B.6: Replace reports with report,</li> </ul>		<ul style="list-style-type: none"> <li>section III.B, Table E-4</li> <li>• Attachment E, section III.C.3.b</li> <li>• Attachment E, section IV.A.2</li> <li>• Attachment E, section IV.B.1, Table E-6</li> <li>• Attachment E, section IV.C.1.b</li> <li>• Attachment E, section IV.D</li> <li>• Attachment E, section IV.D.2.a</li> <li>• Attachment E, section IV.D.2.c</li> <li>• Attachment E, section IV.E.1 and 2</li> <li>• Attachment E, section V.A</li> <li>• Attachment F, section IV.C.4.c</li>   <li>• Attachment F, section VI.B.6 (formerly section VI.B.7)</li> <li>• Attachment F,</li> </ul>



No.	Comment	Response	Action Taken
	<p>and delete redundant sentence and phrases.</p> <ul style="list-style-type: none"> <li>• Attachment F, section VII.C.2: Correct program name and description, and add a period.</li> <li>• Attachment F, section VII.D: Replace see with sea.</li> <li>• Attachment H: Correct the outfall length.</li> </ul>		<p>section VII.B.2, 3, and 6</p> <ul style="list-style-type: none"> <li>• Attachment F, section VII.C.2</li> <li>• Attachment F, section VII.D</li> <li>• Attachment H</li> </ul>
<b>Jerry Jones, Lemon Grove Sanitation District, written comments dated December 8, 2016 and oral comments at December 14, 2016 Board Meeting</b>			
9	<p>The Lemon Grove Sanitation District is in full support of the City of San Diego's request to renew its variance from the secondary treatment requirements contained in section 301(b)(1)(B) of the Clean Water Act (CWA). The Lemon Grove Sanitation District also believes that the Pure Water San Diego program as outlined in the City of San Diego's application submitted in January 2015 will be extremely valuable to the region and to the State of California.</p>	<p>The San Diego Water Board and USEPA, Region IX have noted the comment.</p>	<p>None necessary</p>
<b>Bill Baber, City of La Mesa, oral comments at December 14, 2016 Board Meeting</b>			
10	<p>The City of La Mesa supports the Tentative Order.</p>	<p>The San Diego Water Board and USEPA, Region IX have noted the comment.</p>	<p>None necessary</p>
<b>Matt O'Malley, San Diego Coastkeeper, oral comments at December 14, 2016 Board Meeting</b>			
11	<p>San Diego Coastkeeper is happy that the Tentative Order incorporates the agreement between the City of San Diego, San Diego Coastkeeper, and other parties and includes the Pure Water San Diego program as enforceable tasks and goals. San Diego Coastkeeper believes that San Diego will eventually go toward zero discharge and that the Pure Water San Diego program is a first good step toward that goal. San Diego Coastkeeper would like the Tentative Order to include the City of San Diego's approved accelerated schedule of providing 30 MGD of indirect potable reuse, instead of 15 MGD.</p>	<p>In 2015, the design and scope of <i>the Pure Water San Diego</i> program was based on meeting a cumulative production rate of 15, 30, and 83 MGD of potable reuse water by the years 2023, 2027, and 2035, respectively.</p> <p>In mid-2015, the State Water Resources Control Board's (State Water Board's) Division of Drinking Water (DDW) and its independent expert panel made a decision to include other dilution requirements in the draft regulations under development for potable reuse through surface water augmentation, allowing a wide range of reservoirs in</p>	<p>Modified</p> <ul style="list-style-type: none"> <li>• Section VI.C.6 (formerly section VI.C.7)</li> <li>• Attachment F, section VI.B.6 (formerly section VI.B.7)</li> </ul>

No.	Comment	Response	Action Taken
		<p>potable reuse projects.</p> <p>This allowed the City of San Diego, Public Utilities Department to proceed with a “North City-to-Miramar” potable reuse water project. Since that time, the City of San Diego, Public Utilities Department has made key decisions to 1) centralize processing of the first 30 MGD of recycled water at the City’s North City Water Reclamation Plant and 2) pump the recycled water to Miramar Reservoir (9 miles away) instead of San Vicente Reservoir (18 miles away), thus greatly shortening construction timelines and reducing costs. On October 25, 2016 (three days prior to the release of the Tentative Order for public comment), the City of San Diego Council took action to approve two engineering design contracts that will support an accelerated schedule for the <i>Pure Water San Diego</i> program to bring the first 30 MGD of potable reuse water online in 2022 (versus 2027).</p> <p>The City of San Diego’s decision to accelerate the <i>Pure Water San Diego</i> program schedule came in response to having a heightened sense of urgency for new local water supplies to respond to California’s multi-year historic drought and climate change impacts along with a more favorable program of construction timelines and costs. Bringing the first 30 MGD of the <i>Pure Water San Diego</i> program on-line up to six years earlier than originally planned will reduce the City of San Diego’s reliance on imported water. The <i>Pure Water San Diego</i> program also closely aligns with the strategy and goals of the Strategy for a Sustainable Local Water Supply chapter of the San Diego Water Board’s Practical Vision document. The accelerated schedule also implements the State Water Board’s Recycled Water Policy, which includes the goals of increasing total recycled water use in California by 1 million acre-feet per year by 2020 and 2 million acre-feet per year by 2030.</p> <p>The City of San Diego’s decision to accelerate the</p>	

No.	Comment	Response	Action Taken
		<p>schedule also aligns well with the City of San Diego’s Climate Action Plan by utilizing landfill gas to fulfill the energy requirements of the North City Water Reclamation Plant and pumping recycled water to Miramar Reservoir. This serves a dual purpose by reducing greenhouse gas emissions to below limits expected to go into effect in 2019. The accelerated schedule also aligns well with the recently adopted State Water Board Resolution No. 2017-0012 on Climate Change that sets forth the need for the Water Boards to support water projects that promote water measures mitigating greenhouse gas emissions and contribute to adaptation to the effects of climate change.</p> <p>Based on these considerations and the comments received at and following the San Diego Water Board’s December 14, 2016 public hearing, the Board requested the City of San Diego to make a submittal to the Board defining and detailing the <i>Pure Water San Diego</i> program’s accelerated implementation schedule for the Board’s consideration. The City of San Diego responded by letter dated January 30 2017, with an updated accelerated schedule of milestones for design and construction to implement the first 30 MGD of the <i>Pure Water San Diego</i> program.</p> <p>The San Diego Water Board and USEPA, Region IX has included the City of San Diego’s accelerated schedule for implementation of the first 30 MGD increment of the <i>Pure Water San Diego</i> program in the Tentative Order to accurately reflect the City’s current schedule. However, the City’s compliance with the effluent limitations and discharge specifications contained in the Tentative Order does not depend on the City meeting the milestones set forth in this implementation schedule. The Tentative Order requires the City to submit Task Reports for the milestones on the schedule and Semiannual Progress Reports summarizing its implementation activities during the preceding six months. Moreover, the San Diego Water Board and USEPA, Region IX strongly support the City of</p>	

No.	Comment	Response	Action Taken
		San Diego's plans to accelerate development of potable reuse capacity to reduce the region's reliance on imported water.	
12	San Diego Coastkeeper supports the inclusion of the Climate Change Action Plan requirements in the Tentative Order and would like to see more of this in the future.	The San Diego Water Board and USEPA, Region IX have noted the comment.	None necessary
<b>Marco Gonzales, Coastal Environmental Rights Foundation, oral comments at December 14, 2016 Board Meeting</b>			
13	At the time the City of San Diego, Coastal Environmental Rights Foundation, and other parties signed the agreement, the parties based the schedule on information at that time and the goal of completing the project in the shortest timeframe. The City of San Diego is now accelerating that schedule by producing 30 MGD of indirect potable reuse by 2023. During the previous permit renewal, there was a promise to the California Coastal Commission to accelerate recycle water/indirect potable reuse program. By including the accelerated schedule in the Tentative Order, the City of San Diego will show that it is doing everything to accelerate the <i>Pure Water San Diego</i> program.	The San Diego Water Board and USEPA, Region IX have modified the Tentative Order as requested. Also, see response to Comment No. 11.	See Action Taken for Comment No. 11
<b>Julia Chunn-Heer and Rick Wilson, Surfrider Foundation, written comments dated December 20, 2016</b>			
14	The Surfrider Foundation supports the Tentative Order and the City of San Diego's recent efforts to accelerate the schedule to offload 30 MGD of wastewater by 2021. The Surfrider Foundation believes that the accelerated schedule should be included in the Tentative Order.	The San Diego Water Board and USEPA, Region IX have modified the Tentative Order as requested. Also, see response to Comment No. 11	See Action Taken for Comment No. 11
15	The Tentative Order lists some outdated language for the enterococcus single sample maximum. The designations of moderate, light, and infrequent use are from an old USEPA guidance document and were not included in the 2012 Water Quality Criteria. The problem with basing water quality standards on frequency of use include defining what those use intensity designations mean and justifying why someone who is exposed infrequently should get less protection than a frequent user. The Surfrider Foundation recommends	The San Diego Water Board and USEPA, Region IX concur with the comment and recognize that USEPA updated recreational water quality criteria for pathogens in 2012. This update eliminated the "use intensity" concept as well as the "single sample maximum" (SSM) phrase, replacing it with "statistical threshold value" (STV). The 2012 recommended criteria are provided for two levels of risk management regarding illness rate, specifically estimated illness rate (NGI) of 36 per 1000 primary	Modified <ul style="list-style-type: none"> <li>• Section V.A.2.b</li> <li>• Attachment A, Part 1, Abbreviations</li> </ul> Attachment F, section V

No.	Comment	Response	Action Taken
	<p>dropping these designations in favor of a uniform single sample maximum of 104 units/100 milliliters.</p>	<p>contact recreators or 32 per 1000 primary contact recreators (see 2012 Water Quality Criteria, Table 4, page 43). For marine waters, only enterococcus criteria values are provided: geometric mean = 35 colony forming units (CFU)/100 mL and STV = 130 CFU/100 mL for an estimated illness rate of 36 NGI per 1,000 primary contact recreators.</p> <p>The San Diego Water Board and USEPA, Region IX have appropriately modified the Tentative Order to address these considerations. Please note that the changes apply only to receiving water limitations for bacterial characteristics applicable to federal ocean waters located beyond the boundaries of the State's territorial marine waters, which generally extend three nautical miles outward from the mainland.</p> <p>The bacterial objectives from the Ocean Plan apply to ocean waters that are the territorial marine waters of the State as defined by California law to the extent these waters are outside of enclosed bays and estuaries and coastal lagoons. Section V.A.1 of the Tentative Order provides that the bacterial objectives from the Ocean Plan apply throughout the water column within a zone bounded by the shoreline and a distance of three nautical miles from the shoreline, including all kelp beds.</p>	
16	<p>The Surfrider Foundation believes the Tentative Order should reiterate the agreed upon effluent concentration limits in the draft Ocean Pollution Reduction Act (OPRA) II language:</p> <p>(iii) discharge no more than a concentration of 60 milligrams per liter of total suspended solids calculated as a thirty-day average.</p>	<p>OPRA II has not been enacted into law, therefore, the Tentative Order should not be modified to include the draft language. The concentration effluent limitation for total suspended solids (monthly (30-day average), 60 milligrams per liter) contained in section IV.A.1 of the Tentative Order is derived from the Table 2 of the Ocean Plan.</p>	None necessary

No.	Comment	Response	Action Taken
<b>Richard Bailey, City of Coronado, written comments dated December 19, 2016</b>			
17	The City of Coronado is in support of the City of San Diego's request to renew its variance from the secondary treatment requirements contained in section 301(b)(1)(B) of the CWA and in support of the Tentative Order released for public comment on October 28, 2016.	The San Diego Water Board and USEPA, Region IX have noted the comment.	None necessary
18	The City of Coronado does not support changing any of the tasks and/or goals for the <i>Pure Water San Diego</i> program at this time and feels that the Tentative Order released for public comment on October 28, 2016 is already a substantial commitment to protect the environment.	Broadly speaking, the City of San Diego provides wastewater conveyance, treatment, and disposal services to the Participating Agencies under the terms set forth in a 1998 Regional Wastewater Disposal Agreement (Agreement). Under the terms of the Agreement, the City of San Diego is the owner of the Metro System and makes all decisions with respect to the planning, design, construction, operation, and maintenance of Metro System facilities in consultation with the Participating Agencies. The Participating Agencies use the Metro System up to specified capacity limits totaling approximately one third of Metro System flows and together must finance approximately 35 percent of the costs of operating and maintaining the Metro System as well as any needed upgrades and expansions of facilities. The San Diego Water Board and USEPA, Region IX do not play any direct regulatory role in the implementation of the Agreement between the City of San Diego and the Participating Agencies, the determination and allocation of costs for financing the Metro System, and related capital improvement projects such as the <i>Pure Water San Diego</i> program or the timing of the cost allocations.  Also, see response to Comment No. 11.	None necessary
<b>Mark Watton, Otay Water District, written comments dated December 19, 2016</b>			

No.	Comment	Response	Action Taken
19	The Otay Water District is in support of the City of San Diego's request to renew its variance from the secondary treatment requirements contained in section 301(b)(1)(B) of the CWA and in support of the Tentative Order released for public comment on October 28, 2016.	The San Diego Water Board and USEPA, Region IX have noted the comment.	None necessary
20	The Otay Water District does not support changing any of the tasks and/or goals for the <i>Pure Water San Diego</i> program at this time and feels that the Tentative Order released for public comment on October 28, 2016 is already a substantial commitment to protect the environment. The current pace of the tasks and/or goals for the <i>Pure Water San Diego</i> program allow for any needed re-evaluation based on new regulations, such as water conservation regulations that may serve as a significant disincentive for the development of new sustainable water supply sources.	See response to Comment Nos. 11 and 18.	See Action Taken for Comment Nos. 11 and 18
<b>Mary Casillas Salas, City of Chula Vista, written comments dated December 20, 2016</b>			
21	The City of Chula Vista is in support of the City of San Diego's request to renew its variance from the secondary treatment requirements contained in section 301(b)(1)(B) of the CWA and in support of the Tentative Order released for public comment on October 28, 2016.	The San Diego Water Board and USEPA, Region IX have noted the comment.	None necessary
22	The City of Chula Vista does not support changing any of the tasks and/or goals for the <i>Pure Water San Diego</i> program at this time and feels that the Tentative Order released for public comment on October 28, 2016 is already a substantial commitment to protect the environment while limiting hardship to the ratepayers affected by this permit.	See response to Comment Nos. 11 and 18.	See Action Taken for Comment Nos. 11 and 18
<b>James Peasley, Metro Wastewater Joint Powers Authority, written comments dated December 21, 2016</b>			

No.	Comment	Response	Action Taken
23	<p>The Metro Wastewater Joint Powers Authority (JPA) supports the schedule for the <i>Pure Water San Diego</i> program that is contained in the Tentative Order released for public comment on October 28, 2016.</p> <p>The Metro Wastewater JPA does not support changing any of the tasks and/or goals for the <i>Pure Water San Diego</i> program. The current tasks and goals are consistent with the City of San Diego’s application and the cooperative agreement between the City of San Diego and the environmental non-government agencies. The Metro Wastewater JPA approved these tasks and goals in its October 2014 resolution. In addition, the current tasks and goals allow for flexibility in the time necessary to design, construct, and operate the <i>Pure Water San Diego</i> program and flexibility to account for any complexities that may arise. Accelerating the schedule in the Tentative Order could limit the ability to protect the many effected Metro System ratepayers.</p>	<p>The San Diego Water Board and USEPA, Region IX support the on-going efforts of the City of San Diego to involve and build support among local communities, businesses, and citizen groups in developing the <i>Pure Water San Diego</i> program and its relationship to offloading discharge flows and pollutant loads from the Point Loma Wastewater Treatment Plant (WWTP) discharge to the ocean.</p> <p>The San Diego Water Board and USEPA, Region IX understand that the Participating Agencies comprising the JPA are concerned that investing in the infrastructure expansion associated with the <i>Pure Water San Diego</i> program could limit their financial capacity to upgrade treatment at Point Loma WWTP in the event such an upgrade is required. Because of the City of San Diego’s historical facility performance record and the expected <i>Pure Water San Diego</i> offloading of discharge flows and pollutant loads from the Point Loma WWTP, the City of San Diego may not need to upgrade the Point Loma WWTP to achieve secondary treatment standards to protect ocean water quality. In addition, the San Diego Water Board and USEPA, Region IX have not identified any water quality concerns that have not been adequately addressed in the Tentative Order and the modified secondary treatment standards therein.</p> <p>The facility performance record for the current Order term includes a consistent record of:</p> <ul style="list-style-type: none"> <li>• Meeting technology-based effluent limitations based on the CWA section 301(h) and (j)(5) waiver requirements, for total suspended solids (TSS) and biochemical oxygen demand (BOD);</li> <li>• Meeting technology-based effluent limitations based on the Ocean Plan for TSS; and</li> <li>• Continuing to improve TSS removal rates and thus decrease TSS mass and concentration discharge</li> </ul>	None necessary



No.	Comment	Response	Action Taken
		<p>loads.</p> <p>The City of San Diego has also met the requirement under the OPRA of 1994, 33. U.S.C. section 1311(j)(5)(B) and (C), to “achieve a system capacity of 45,000,000 gallons of reclaimed waste water per day by January 1, 2010.”</p> <p>The City of San Diego has also reported compliance through the past 20 years of monitoring results, which show that receiving waters are supporting beneficial uses with no ocean life degradation near the Point Loma Ocean Outfall.</p> <p>The <i>Pure Water San Diego</i> program would reduce influent flows and pollutant loads to the Point Loma WWTP and thus further reduce effluent flow and pollutant loads to the receiving waters.</p> <p>USEPA, Region IX has approved the three prior applications for modified secondary treatment standards for the Point Loma WWTP in 1995, 2002, and 2010 based on administrative records that demonstrated, in each instance, full satisfaction of the provisions of CWA sections 301(h) and 301(j)(5). USEPA Region IX has previously indicated it will be able to continue to renew subsequent CWA 301(h) modified permits for the Point Loma WWTP for as long as there are no relevant changes in the CWA and implementing regulations, no significant deterioration in the quality of the Point Loma WWTP discharge, and no significant adverse response of the receiving ocean ecosystem to the ongoing discharge.<sup>1</sup></p> <p>Also, see responses to Comment Nos. 11 and 18.</p>	
24	The Metro Wastewater JPA does not support any policy of favoring zero-ocean discharge. When we closely examine/evaluate the financial cost to ratepayers and the	The San Diego Water Board and USEPA, Region IX have noted the comment.	None necessary

<sup>1</sup> See September 17, 2015 letter from Jared Blumenfield, USEPA Region IX to Mayor Kevin Faulconer, City of San Diego.

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	<p>physical feasibility to divert all discharges, 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 CWA or the Porter Cologne Act, the 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.</p>		

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<b>John J. Helminski, City of San Diego, written comments dated February 24, 2017</b>			
25	The City of San Diego requests that the San Diego Water Board and USEPA, Region IX modify Table 8 of the revised Tentative Order to remove the category of North City Renewable Energy Facility and the associated tasks of design and construction. This project is not on the critical pathway to the production of potable reuse water and is still in the conceptual planning and coordination stage with other City of San Diego departments and as such, the timeline is still uncertain.	The San Diego Water Board and USEPA, Region IX concur that the North City Renewable Energy Facility is not critical to the production of potable reuse water and have modified the Tentative Order to remove this category and the associated tasks of design and construction.	Modified Table 8 in section VI.C.6.a (formerly section VI.C.7.a)
26	The City of San Diego requests that the following sentence be deleted from section VI.C.7.d of the revised Tentative Order:  The possible locations for new recycled water/advanced purification treatment facilities include Harbor Drive, Camino Del Rio, and/or Mission Gorge.	The San Diego Water Board and USEPA, Region IX have modified the Tentative Order as requested.	Modified section VI.C.6.d (formerly section VI.C.7.d)
27	The City of San Diego requests that the San Diego Water Board and USEPA, Region IX add the following footnote to section VI.C.7.d of the revised Tentative Order, after the words "Because the Discharger has committed."  Pursuant to the 2014 Cooperative Agreement between the Discharger and the San Diego Coastkeeper, San Diego County Surfrider, the Coastal Environmental Rights Foundation, and the San Diego Audubon Society.	In order to clarify the origin of the commitment, the San Diego Water Board and USEPA, Region IX have added the footnote as requested.	Modified section VI.C.6.d (formerly section VI.C.7.d)
<b>Mary Casillas Salas, Stephen C. Padilla, Gary Halbert, and Richard Hopkins, City of Chula Vista, written comments dated February 23, 2017</b>			
28	The City of Chula Vista does not support the proposed revisions to the Compliance Schedule for the <i>Pure Water San Diego</i> program. The City of Chula Vista states that the accelerated schedule in the proposed revisions will cause untimely significant wastewater financial hardship and that the City of Chula Vista will pass the financial hardship	See response to Comment Nos. 11, 18, and 23.  Nothing in the Tentative Order precludes the City of Chula Vista or any party from pursuing legislative approval of secondary equivalency for the Point Loma WWTP.	See Action Taken for Comment Nos. 11, 18 and 23

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	<p>through to Chula Vista's wastewater customers. The City of Chula Vista also states that the accelerated schedule in the proposed revision will limit the time available to adequately determine the costs and revenues of the <i>Pure Water San Diego</i> program, to determine cost allocation among the Participating Agencies, and to conduct appropriate public outreach.</p> <p>The City of Chula Vista supports the original goal of producing at least 15 MGD by 2023 subject to legislative approval of secondary equivalency for the Point Loma WWTP.</p>		
29	<p>If the proposed revisions remain, the City of Chula Vista request that the Table 8, footnote number 2 be expanded to include the approval by the Council of the City of Chula Vista, as well as the bodies of the other Participating Agencies.</p>	<p>As noted above in the response to Comment No. 18, under the terms set forth in a 1998 Regional Wastewater Disposal Agreement the City of San Diego makes all decisions with respect to the planning, design, construction, operation, and maintenance of the Metro System facilities in consultation with the Participating Agencies.</p>	None necessary
<b>John Mullin, City of Poway, written comments dated February 23, 2017</b>			
30	<p>The City of Poway is in support of the City of San Diego's request to renew its variance from the secondary treatment requirements contained in section 301(b)(1)(B) of the CWA.</p>	<p>The San Diego Water Board and USEPA, Region IX have noted the comment.</p>	None necessary
31	<p>The following proposed changes to the Compliance Schedule are not needed and unwarranted. The Participating Agencies require more time to evaluate these proposed changes and make decisions at a local level before making commitments.</p> <ul style="list-style-type: none"> <li>• Accelerating the schedule from 15 MGD by 2023 and 30 MGD by 2027, to 30 MGD by 2022.</li> <li>• Adding granulated design and construction compliance dates</li> </ul>	<p>See response to Comment Nos. 11, 18, and 23.</p>	<p>See Action Taken for Comment Nos. 11, 18 and 23</p>

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<b>Douglas Williford, City of El Cajon, written comments dated February 24, 2017</b>			
32	On page 36 of the Tentative Order, footnote 2 misidentifies the Participating Agencies of Metro Wastewater JPA; the City of San Diego is not a Participating Agency of the Metro Wastewater JPA.	The San Diego Water Board and USEPA, Region IX have corrected the footnote as requested.	Modified section VI.C.6.a (formerly section VI.C.7.a), footnote
33	The City of El Cajon states that it was not informed of the proposed revisions prior to the release of the revised Tentative Order, and as such has not had a chance to review and approve the proposed revisions. Thus, the City of El Cajon does not support the proposed revisions and requests a continuance of the public hearing on the Tentative Order to allow the Metro Wastewater JPA, its Participating Agencies, and the City of San Diego time to discuss and work through its concerns.	<p>The Participating Agencies were properly noticed and had adequate time to review and comment on the proposed revisions to the Schedule for Pure Water San Diego Potable Reuse Tasks in section VI.C.6 (formerly section VI.C.7) of the Tentative Order.</p> <p>As noted in the response to Comment No. 11, the schedule revisions were a logical outgrowth of the original proposed schedule that was included in the Tentative Order released for public review on October 28, 2016 and commented on by interested persons at the December 14, 2016 public hearing. The San Diego Water Board and USEPA, Region IX released the revised Tentative Order for public comment on February 10, 2017, and provided two weeks for submittal of written comments on the proposed revisions to the Tentative Order, incorporating the City of San Diego's current accelerated schedule for implementation of the first 30 MGD increment of <i>the Pure Water San Diego</i> program.</p>	None necessary
34	<p>The City of El Cajon states that it needs more time to determine the lowest cost alternative for long-term CWA compliance. Factors that affect this determination include the feasibility of Secondary Equivalency as a compliance strategy and keeping the Point Loma WWTP as an advanced primary treatment plant, effect of water conservation on reaching the <i>Pure Water San Diego</i> goals, and cost of wastewater treatment and disposal versus water supply enhancement.</p> <p>Under the original Compliance Schedule, as Secondary Equivalency is being pursued as a means of long-term CWA</p>	See response to Comment Nos. 11, 18, and 23.	See Action Taken for Comment Nos. 11, 18 and 23

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	<p>compliance, the cost to wastewater ratepayers would be minimized to ensure that funds are only expended on activities that lead to long term compliance. Although the City of El Cajon recognizes that the <i>Pure Water San Diego</i> program will deliver a new, highly reliable water supply for the San Diego County region, it does believe the cost responsibility of water supply is the responsibility of the wastewater ratepayers.</p>		
35	<p>The City of El Cajon states that the tasks identified in the Compliance Schedule depend on the decisions and approvals affecting the timing, cost, and scope of the overall project (including approvals under the California Environmental Quality Act). The Metro Wastewater JPA/Metro Commission will play an integral role in such decisions (particularly with respect to developing a cost allocation framework, financing plan, and regulations for implementing the <i>Pure Water San Diego</i> program).</p>	<p>Nothing in the Tentative Order obviates the need for the City of San Diego to obtain any otherwise required approvals or decisions.</p>	<p>None necessary</p>
<p><b>Jerrold L Jones, Lemon Grove Sanitation District, written comments dated February 24, 2017</b></p>			
36	<p>The Lemon Grove Sanitation District opposes the proposed revisions to the Compliance Schedule and requests a continuance of the public hearing on the Tentative Order based on the following:</p> <ol style="list-style-type: none"> <li>1. The City of San Diego ceased talks with the Metro Wastewater JPA regarding cost and revenue sharing as well as long term financing for the <i>Pure Water San Diego</i> program in September 2015 and in spite of continued requests has failed to renew that process. With the proposed revisions to the Compliance Schedule, Lemon Grove Sanitation District's constituents face unpredicted construction costs with no financing mechanism to mitigate affordability and no commitment to a revenue sharing benefit that may come from the <i>Pure Water San Diego</i> program.</li> </ol>	<p>See response to Comment Nos. 11, 18, and 23.</p>	<p>See Action Taken for Comment Nos. 11, 18 and 23</p>

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	<p>2. The City of San Diego made the decisions to accelerate the <i>Pure Water San Diego</i> schedule without input from the Participating Agencies and provided little information since it made the decision.</p> <p>3. The original Compliance Schedule allowed the City of San Diego and the Participating Agencies time to pause and consider a course that could include secondary upgrades and the overall costs within a new model, if</p> <ul style="list-style-type: none"> <li>a. secondary equivalency is not secured as a compliance option,</li> <li>b. future waivers from secondary treatment are not issued,</li> <li>c. secondary upgrades at the Point Loma WWTP is required, and/or</li> <li>d. Padre Dam Municipal Water District progresses with its purification project to off-load 25 MGD or more from the Point Loma WWTP.</li> </ul> <p>Without secondary equivalency as an option, wastewater ratepayers may end up paying for both the <i>Pure Water San Diego</i> program and then secondary treatment upgrades at the Point Loma WWTP.</p>		
<b>James Peasley and Jerry Jones, Metro Wastewater JPA , written comments dated February 24, 2017</b>			
37	On page 36 of the Tentative Order, footnote 2 misidentifies the Participating Agencies of Metro Wastewater JPA; the City of San Diego is not a Participating Agency of the Metro Wastewater JPA.	See response to Comment No. 32.	See Action Taken for Comment No. 32
38	The Metro Wastewater JPA states that it was not informed of the proposed revisions prior to the release of the revised Tentative Order, and as such has not had a chance to review and approve the proposed revisions. Thus, the Metro Wastewater JPA does not support the proposed revisions and request a continuance of the public hearing on the	See response to Comment No. 33.	See Action Taken for Comment No. 33

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	Tentative Order to allow the Metro Wastewater JPA, its Participating Agencies, and the City of San Diego time to discuss and work through its concerns.		
39	<p>The Metro Wastewater JPA states that it needs more time to determine the lowest cost alternative for long-term CWA compliance. Factors that affect this determination include the feasibility of Secondary Equivalency as a compliance strategy and keeping the Point Loma WWTP as an advanced primary treatment plant, effect of water conservation on reaching the <i>Pure Water San Diego</i> goals, and cost of wastewater treatment and disposal versus water supply enhancement.</p> <p>Under the original Compliance Schedule, as Secondary Equivalency is being pursued as a means of long-term CWA compliance, the cost to wastewater ratepayers would be minimized to ensure that funds are only expended on activities that lead to long term compliance. Although the Metro Wastewater JPA recognizes that the <i>Pure Water San Diego</i> program will deliver a new, highly reliable water supply for the San Diego County region, it does believe the cost responsibility of water supply is the responsibility of the wastewater ratepayers.</p>	See response to Comment Nos. 11, 18, and 23.	See Action Taken for Comment Nos. 11, 18 and 23
40	The Metro Wastewater JPA states that the tasks identified in the Compliance Schedule depend on the decisions and approvals affecting the timing, cost, and scope of the overall project (including approvals under the California Environmental Quality Act). The Metro Wastewater JPA/Metro Commission will play an integral role in such decisions (particularly with respect to developing a cost allocation framework, financing plan, and regulations for implementing the <i>Pure Water San Diego</i> program).	See response to Comment No. 35.	See Action Taken for Comment No. 35



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<b>August A. Caires, Padre Dam Municipal Water District , written comments dated February 24, 2017</b>			
41	<p>The Padre Dam Municipal Water District states that it needs more time to determine the lowest cost alternative for long-term CWA compliance. Factors that affect this determination include the feasibility of Secondary Equivalency as a compliance strategy and keeping the Point Loma WWTP as an advanced primary treatment plant, effect of water conservation on reaching the <i>Pure Water San Diego</i> goals, and cost of wastewater treatment and disposal versus water supply enhancement.</p> <p>Under the original Compliance Schedule, as Secondary Equivalency is being pursued as a means of long-term CWA compliance, the cost to wastewater ratepayers would be minimized to ensure that funds are only expended on activities that lead to long term compliance. Although the Padre Dam Municipal Water District recognizes that the <i>Pure Water San Diego</i> program will deliver a new, highly reliable water supply for the San Diego County region, it does believe the cost responsibility of water supply is the responsibility of the wastewater ratepayers.</p>	See response to Comment Nos. 11, 18, and 23.	See Action Taken for Comment Nos. 11, 18 and 23
<b>Marco Gonzales, Coastal Environmental Rights Foundation, written comments dated February 24, 2017</b>			
42	The Coastal Environmental Rights Foundation supports the proposed revisions to the Compliance Schedule for the <i>Pure Water San Diego</i> program.	The San Diego Water Board and USEPA, Region IX have noted the comment.	None necessary
43	<p>The Coastal Environmental Rights Foundation opposes the continuance requested by the Metro Wastewater JPA in its February 24, 2017 letter to the San Diego Water Board and USEPA, Region IX.</p> <p>The Coastal Environmental Rights Foundation does not share Metro Wastewater JPA's concern that the Point Loma WWTP will be required to upgrade to secondary treatment. If the Point Loma WWTP continues to meet the biological narrative criteria for the Clean Water Act section 301(h) waiver, as it has for approximately two decades now, there is</p>	The San Diego Water Board and USEPA, Region IX agree that a continuance is unnecessary. Also, see responses to Comment Nos.11, 18, and 23.	See Action Taken for Comment Nos. 11, 18 and 23

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	<p>no legal rationale for any entity to require the City of San Diego to upgrade to secondary treatment.</p> <p>The Coastal Environmental Rights Foundation also states that the <i>Pure Water San Diego</i> program should not be delayed in light of dwindling imported water resources, rising costs of alternative water sources, lost opportunity costs of discharging partially treated sewage, and the uncertainties associated with global climate change and greenhouse gas emissions.</p>		
<p><b>Matt O'Malley, San Diego Coastkeeper, written comments dated February 24, 2017</b></p>			
44	<p>The San Diego Coastkeeper supports the proposed revisions to the Compliance Schedule for the <i>Pure Water San Diego</i> program.</p>	<p>The San Diego Water Board and USEPA, Region IX have noted the comment.</p>	<p>None necessary</p>