

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

Response to Comments Report

**Tentative Order No. R9 2018-0002
NPDES No. CA0107981**

***Waste Discharge Requirements
for the City of Escondido,
Hale Avenue Resource Recovery Facility
and Membrane Filtration/Reverse Osmosis Facility
Discharge to the Pacific Ocean
through the San Elijo Ocean Outfall***

April 11, 2018

Response to Comments Report
Tentative Order No. R9 2018-0002

**CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
SAN DIEGO REGION**

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Response to Comments Report
Tentative Order No. R9 2018-0002

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

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Response to Comments Report
Tentative Order No. R9 2018-0002

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Response to Comments Report
Tentative Order No. R9 2018-0002

Introduction

This report contains the San Diego Water Board responses to written comments received on Tentative Order No. R9 2018-0002, *Waste Discharge Requirements for the City of Escondido, Hale Avenue Resource Recovery Facility and Membrane Filtration/Reverse Osmosis Facility Discharge to the Pacific Ocean through the San Elijo Ocean Outfall* (Tentative Order).

The San Diego Water Board provided public notice of the release of the Tentative Order on January 27, 2018 and provided a period of 30 days for public review and comment. The public comment period ended on February 26, 2018.

<u>Comments received by February 26, 2018 from:</u>	<u>Page No.</u>
City of Escondido and San Elijo Joint Powers Authority	2
California Department of Fish and Wildlife	16

Comments and Responses

The written comments and staff responses are set forth in the table that follows. The table includes the San Diego Water Board's response to the comment, and any actions taken to revise the Tentative Order in response to the comment. The responses display revisions to the Tentative Order in red-underline for added text and ~~red-strikeout~~ for deleted text.

No.	Comment	Response	Action Taken
Christopher W. McKinney, Director of Utilities, City of Escondido (City) and Michael T. Thornton, General Manager, San Elijo Joint Powers Authority (SEJPA); written comments dated February 26, 2018			
1	<p>For chronic toxicity, the City and the SEJPA request that the San Diego Water Board revisit the best professional judgement (BPJ) to include effluent limitations for chronic toxicity and replace these limitations with performance goals. The City and the SEJPA base this request on the historical compliance record and lack of evidence of synergistic effects from the brine discharges.</p>	<p>The U.S. Environmental Protection Agency (USEPA) regulations for the NPDES Permit Program at title 40 of the Code of Federal Regulations section 122.44(d)(1)(i) (40 CFR 122.44(d)(1)(i)) and the implementation provisions of the <i>Water Quality Control Plan for Ocean Waters of California, California Ocean Plan</i> (Ocean Plan) require that NPDES permits include effluent limitations for all pollutants that are or may be discharged at levels that have the reasonable potential to cause or contribute to an exceedance of a water quality standard, including numeric and narrative objectives within a standard. The San Diego Water Board has determined that reasonable potential is demonstrated for chronic toxicity to cause or contribute to an exceedance of applicable chronic toxicity water quality objectives. This determination is based on best professional judgement (BPJ) given the possibility of synergistic or added toxicity effects of known and unknown pollutant mixtures in the effluent from the City and SEJPA publicly-owned treatment works (POTW) on the receiving waters. Accordingly, the San Diego Water Board has maintained the effluent limitations in the Tentative Order Nos. R9-2018-0002 and R9 2018-0003 (Tentative Orders) for chronic toxicity based on BPJ. (See section IV.C.3 of the Fact Sheets of the Tentative Orders).</p> <p>Because discharges into a POTW are ever changing, the effluent from POTWs is inconsistent and may have a mixture of known and unknown pollutants that could have synergistic or additive toxic effects on receiving waters. The mixture of known and unknown pollutants may come from nonresidential and residential sources in the City's and the SEJPA's service areas. Even though the toxicity monitoring data for the past several years have been in compliance</p>	None necessary

Response to Comments Report
Tentative Order No. R9 2018-0002

No.	Comment	Response	Action Taken
		<p>with toxicity performance goals, increased and/or unknown pollutants could be introduced into the City's and/or the SEJPA's POTW from nonresidential and/or residential sources in the future that have synergistic or additive toxic effects. Additionally, if a toxic effect is discovered in the receiving water, the results of the whole effluent testing (WET) may be useful for identifying the source of the toxicity.</p>	
2	<p>The City and the SEJPA request that the San Diego Water Board revise the Fact Sheets for the Tentative Orders to include the details, required regulations, and possible effects of the San Elijo Lagoon Restoration Project (Project). The City and the SEJPA are concerned that the Project may involve moving considerable quantities of sediment dredged from the lagoon to the immediate area of the San Elijo Ocean Outfall (SEOO), including:</p> <ul style="list-style-type: none"> • placing approximately 107,000 cubic yards of dredged material approximately 500 feet north of the SEOO diffuser, • placing approximately 297,000 cubic yards of dredged material approximately 500 feet south of the SEOO diffuser, • placing approximately 300,000 cubic yards of dredged material in the nearshore beach area of Cardiff Beach, and • placing approximately 146,000 cubic yards of dredged material in the nearshore beach area of Solana Beach. <p>Approximately 400,000 cubic yards of dredged material that is to be discharged to the vicinity of the SEOO diffuser represents a mass load of slightly more than one trillion pounds of sediment. The City and the SEJPA request that the Fact Sheets to the Tentative Orders be modified to identify sediment chemistry or benthic monitoring being required as part of the San Diego Water Board's regulation of the sediment disposition program to assess impacts of the</p>	<p>The San Diego Water Board regulates the Project referenced in the comment through Clean Water Act Section 401 Water Quality Certification No. R9-2016-0111 (Certification). The Certification does not require sediment chemistry or benthic monitoring within the Pacific Ocean. The San Diego Water Board agrees that the Fact Sheets to the Tentative Orders should acknowledge the potential impact of the Project dredged material disposal operations on benthic community conditions at the SEOO benthic monitoring stations.</p> <p>After discussions with the Project Consultant (Chris Webb Senior Coastal Environmental Scientist, Moffatt & Nichol), the San Diego Water Board determined that the offshore dredged material areas noted in the comment are not accurate. The Project will no longer use the deposit site north of the SEOO and the deposit site south of the SEOO is not in the vicinity of the SEOO diffuser. The deposit site south of SEOO (known as SO-6) is at an ocean depth of approximately 65 feet, while the inshore end of the SEOO diffuser is at a depth of approximately 110 feet. The San Diego Water Board has deleted references in the Fact Sheets to the LA-5 ocean disposal site, which was an alternative dredged material disposal site considered in the Project Environmental Impact Report.</p> <p>The benthic monitoring requirements of the Tentative Orders may be used as a new "baseline" assessment of sediment quality near the SEOO to determine if benthic communities are being degraded as a result of the SEOO discharge. Impacts from deposition of dredged material from</p>	<p>Modified Attachment F section VII.B.3 of the Tentative Orders</p>

Response to Comments Report
Tentative Order No. R9 2018-0002

No.	Comment	Response	Action Taken
	<p>dredging and sediment relocation on sediment and habitat within the vicinity of the SEOO discharge zone.</p> <p>The City and the SEJPA request that the San Diego Water Board remove any reference to the disposal of any lagoon sediment at the LA-5 disposal site, which is located more than 25 miles south of the SEOO.</p>	<p>the Project could produce degraded benthic community conditions at monitoring stations in the vicinity of the SEOO that are not related to pollutants discharged from the SEOO. However, the sediment deposition from the Project will likely have limited or no impact on the benthic monitoring locations, as these monitoring locations are at a depth of approximately 120 feet as compared to the SO-6 site with a maximum depth of 65 feet. The City and the SEJPA will have the opportunity to demonstrate that physical disturbance from dredged material deposition was a confounding factor in assessing benthic community conditions by conducting the required data assessment in the receiving water monitoring report (see Attachment E section IV.E in the Monitoring and Reporting Programs (MRPs) of the Tentative Orders). The San Diego Water Board will also consider proposals by the City and the SEJPA to temporarily redirect benthic monitoring efforts during dredged material disposal operations to participate in the Southern California Bight Regional Monitoring Program coordinated by the Southern California Coastal Water Research Project (SCCWRP), or other regional monitoring efforts pursuant to the MRPs, Attachment E section V.B of the Tentative Orders.</p> <p>Based on these considerations, the San Diego Water Board has modified the last paragraph of the Fact Sheets in Attachment F section VII.B.3 of the Tentative Orders as follows:</p> <p>Several projects that require dredging, such as the San Elijo Lagoon Restoration Project (Project)⁹, are planned to take place during the first three years of the five-year permit term. The Project has the potential to generate approximately 750,000 cubic yards (CY) of excess sediment through dredging operations in the San Elijo Lagoon. Dredged material from the Project will be used for onshore beach replenishment at Solana Beach and Cardiff Beach (approximately 450,000 CY) and offshore stockpiling at SO-6 (approximately 300,000 CY). The</p>	

Response to Comments Report
 Tentative Order No. R9 2018-0002

No.	Comment	Response	Action Taken
		<p><u>SO-6 offshore stockpile site is approximately 500 feet south of SEOO at a maximum depth of 65 feet. Due to the large volume of sediment and close proximity of the SO-6 offshore stockpile site, sediment deposition from the Project has the potential to impact benthic communities and alter chemical and physical properties of seafloor sediments around the SEOO. However, the sediment deposition from the Project will likely have limited or no impact on benthic monitoring locations, as these monitoring locations are at a depth of approximately 120 feet as compared to the SO-6 site with a maximum depth of 65 feet. Benthic monitoring requirements in this Order may be used to establish a new baseline for sediment quality around the SEOO to determine if benthic communities are being degraded as a result of the SEOO discharge. The sediment from these projects will be used for beach replenishment and/or disposed of at the LA-5 offshore disposal site. The LA-5 disposal site is approximately 3 miles northwest of the San Elijo Ocean Outfall at a depth of 460-660 feet. To further reduce the potential for physical stressors to the benthic community from interference with the dredging operations, receiving water sediment monitoring may be conducted anytime within the permit term, with the results due at least 180 days before the permit expires. This Order requires the development of a Sediment Monitoring Work Plan, which includes a schedule for completion of sediment sampling and submission of the results, protocols for sediment sample collection and processing, and the proposed methods for analyzing the sediment data and integrating the three lines of evidence.</u></p> <p>⁹ On June 14, 2017, the San Diego Water Board issued Clean Water Act Section 401 Water Quality Certification and Waste Discharge Requirements for Discharge of Dredged and/or Fill Materials, San Elijo Lagoon</p>	

Response to Comments Report
Tentative Order No. R9 2018-0002

No.	Comment	Response	Action Taken
		<p style="color: red;">Restoration Certification Number R9-2016-0111 WDID: 9000003036.</p>	
<p>3</p>	<p>The City and the SEJPA request the following changes to Attachment E section VI.C, 1st paragraph because “assess” is a more appropriate term, as “map” implies only a geographic plot; and “address” is a more appropriate term, as the term “answer” implies that a definitive result can be achieved within the specified study time period.</p> <p>Plume tracking is an ongoing program designed to <u>assessmap</u> dispersion and fate of the wastewater plume discharged from the San Elijo Ocean Outfall (SEO). The plume tracking program shall be designed to <u>addressanswer</u>, at a minimum, the following questions:</p>	<p>The San Diego Water Board agrees that “assess” and “address” are appropriate terms for this section. The San Diego Water Board has modified Attachment E section VI.C, 1st paragraph as follows:</p> <p>Plume tracking is an ongoing program designed to <u>assessmap</u> dispersion and fate of the wastewater plume discharged from the San Elijo Ocean Outfall (SEO). The plume tracking program shall be designed to <u>addressanswer</u>, at a minimum, the following questions:</p>	<p>Modified Attachment E section VI.C, 1st paragraph of the Tentative Orders</p>
<p>4</p>	<p>The City and the SEJPA state that the term “surf zone recreational areas” is preferable to “water contact recreational zones” in Attachment E section VI.C, monitoring question (1), as the Tentative Orders defines water contact recreational zones as including all waters within three nautical miles of the shore. The City and the SEJPA request the following changes to Attachment E section VI.C, monitoring question (1):</p> <p>Are the <u>existing current receiving water stations monitoring</u> locations and methods adequate <u>for demonstrating that to determine whether the wastewater plume is does not encroaching into surf zone recreational areas on water contact recreational zones?</u></p>	<p>The San Diego Water Board agrees that the term “water contact recreational zones” is inappropriate. The plume tracking program is not intended to assess the fate of the wastewater plume up to 3 nautical miles offshore. However, the San Diego Water Board does not agree with limiting the plume tracking program to “surf zone recreational areas” as other water recreational activities, such as scuba diving, swimming, and spearfishing, extend past the surf zone. Additionally, the San Diego Water Board does not agree with modifying the terminology, such as modifying “monitoring locations” to “receiving water station locations”, as this terminology is inconsistent with the Tentative Orders. Lastly, the San Diego Water Board modified the question to identify more appropriate monitoring locations and/or methods if the plume tracking study demonstrates the need.</p> <p>The San Diego Water Board has modified Attachment E section VI.C, monitoring question (1) as follows:</p> <p>Are the current monitoring locations and methods adequate to determine whether the wastewater plume is encroaching on water <u>contact recreational zones areas, including, but not limited to, areas used for swimming, scuba diving, surfing, and fishing? If not, what</u></p>	<p>Modified Attachment E section VI.C, monitoring question (1) of the Tentative Orders</p>

Response to Comments Report
Tentative Order No. R9 2018-0002

No.	Comment	Response	Action Taken
		<p><u>monitoring locations and/or methods are more appropriate?</u></p>	
5	<p>The City and the SEJPA state that the bacteriological compliance assessments submitted by the City and the SEJPA to the San Diego Water Board which have assessed receiving water quality data collected during the past three National Pollutant Discharge Elimination System (NPDES) permit terms strongly demonstrate that monitoring data from shore stations are useful only for assessing shore-based contamination. Given this, the City and the SEJPA request the following changes to Attachment E section VI.C, monitoring question (2):</p> <p><u>Is the removal of the Surf Zone monitoring location S-6 (historical) still appropriate Do any of the existing shore monitoring stations provide data that is instructive or useful relative to operation of the SEOO or the SEOO discharge?</u></p>	<p>The San Diego Water Board does not agree with the modification. The intent of the question was to determine if the removal of the Surf Zone monitoring location S-6 (historical) was appropriate based off the results of the plume tracking study. Surf Zone bacteria monitoring is essential for protecting public health.</p>	None necessary
6	<p>The City and the SEJPA state that additional assessment can evaluate how or whether projected changes in SEOO discharge flows and discharge salinity may influence initial dilution (e.g. dilution that occurs as a result of the buoyancy and momentum of the SEOO discharge plume). Given this, the City and the SEJPA request the following changes to Attachment E section VI.C, monitoring question (3):</p> <p><u>How will the MFRO and future brine discharges (along with increased recycled water use and decreased outfall discharge flows) affect the dynamics of the wastewater plume and initial dilution does the brine discharge from the MFRO Facility and San Elijo Water Reclamation Facility change the effluent quality and the dynamics of the wastewater plume?</u></p>	<p>The San Diego Water Board agrees that the brine discharges, increased recycled water use, and decreased outfall discharge flows may affect the dynamics of the wastewater plume and initial dilution. The San Diego Water Board does not agree with the removal of the brine discharges from the San Elijo Water Reclamation Facility because this brine, like the MFRO Facility brine, may also affect the dynamics of the wastewater plume and initial dilution.</p> <p>The San Diego Water Board has modified Attachment E section VI.C, monitoring question (3) as follows:</p> <p><u>How does the brine discharge from the MFRO Facility and San Elijo Water Reclamation Facility and future brine discharges (along with increased recycled water use and decreased outfall discharge flows) affect the dynamics of the wastewater plume and initial dilution change the effluent quality and the dynamics of the wastewater plume?</u></p>	Modified Attachment E section VI.C, monitoring question (3) of the Tentative Orders

Response to Comments Report
Tentative Order No. R9 2018-0002

No.	Comment	Response	Action Taken
7	<p>To account for sediment-laden storm flow from the lagoon during times of significant runoff, the City and the SEJPA request the following changes to Attachment E section VI.C, monitoring question (4):</p> <p>Does the wastewater plume have the potential to interact with wastewater plumes from other ocean outfalls or other sources of pollution-shore-based contamination that may extend outward into the SEOO discharge zone?</p>	<p>The San Diego Water Board agrees that the Tentative Orders should clarify the other possible sources of pollution that may interact with the wastewater plume. However, the San Diego Water Board has retained the assessment of the interaction between ocean outfalls. The Encina Ocean Outfall and the Oceanside Ocean Outfall are approximately 8 miles and 12 miles north of San Elijo Ocean Outfall, respectfully. Given the close proximity, an assessment of whether or not the wastewater plumes from the three outfalls interact with each other is a relevant consideration.</p> <p>The San Diego Water Board has modified Attachment E section VI.C, monitoring question (4) in the MRPs of the Tentative Orders as follows:</p> <p>Does the wastewater plume have the potential to interact with wastewater plumes from other ocean outfalls or other sources of pollution, <u>such as storm water and outflows from the San Elijo Lagoon?</u></p>	Modified Attachment E section VI.C, monitoring question (4) of the Tentative Orders
8	<p>The City and the SEJPA request the following changes to Attachment E section VI.C, monitoring question (5):</p> <p>What is the fate of the <u>diluted</u> wastewater plume in typical and atypical oceanographic conditions, <u>and when and under what conditions is the diluted and dispersed plume no longer distinguishable from ambient receiving water?</u></p>	<p>The San Diego Water Board agrees that it is important to determine when and under what conditions the wastewater plume is no longer distinguishable from ambient receiving water. However, the San Diego Water Board does not agree with the terms “diluted” and “dispersed” as they are inconsistent with the terminology used in the Tentative Orders and the scientific literature, and confuse the question.</p> <p>The San Diego Water Board has modified Attachment E section VI.C, monitoring question (5) in the MRPs of the Tentative Orders as follows:</p> <p>What is the fate of the wastewater plume in typical and atypical oceanographic conditions, <u>and when and under what conditions is the wastewater plume no longer distinguishable from ambient receiving water?</u></p>	Modified Attachment E section VI.C, monitoring question (5) of the Tentative Orders
9	<p>The City and the SEJPA state that the first step in the plume tracking work plan will be to identify which monitoring parameters can be useful in tracking the SEOO plume.</p>	<p>The San Diego Water Board agrees that it is important to determine what parameters are most useful for assessing the presence of a wastewater plume and has added this</p>	Added monitoring question (6) to

Response to Comments Report
Tentative Order No. R9 2018-0002

No.	Comment	Response	Action Taken
	<p>Because of the nature of the SEOO discharge and flows, it should be noted that parameters useful for tracking the SEOO plume may be different (and perhaps less effective) than parameters used to track plumes from other Southern California outfall discharges that involve higher discharge flows or discharges that are not as highly treated as the SEOO discharge. Given this, the City and the SEJPA request the following additional monitoring question to Attachment E section VI.C:</p> <p><u>What parameters are most useful for assessing the presence of a diluted wastewater plume?</u></p>	<p>question to Attachment E section VI.C, as monitoring question (6). However, the use of the term “diluted” is inconsistent with the terminology used in the Tentative Orders and in the scientific literature, and confuses the question.</p> <p>The San Diego Water Board has added the following monitoring question to Attachment E section VI.C, as monitoring question (6) in the MRPs of the Tentative Orders:</p> <p><u>What parameters are most useful for assessing the presence of a wastewater plume?</u></p>	<p>Attachment E section VI.C of the Tentative Orders</p>
10	<p>The City and the SEJPA state that the additional data on oceanographic conditions will allow for improved assessment of (1) the minimum month initial dilution value (representative of atypical oceanographic conditions) assigned by the San Diego Water Board for use in assessing compliance with Ocean Plan Table 1 receiving water standards; and (2) dilution and dispersion conditions that are characteristic of more common and typical oceanographic conditions. Given this, the City and the SEJPA request the following additional monitoring question to Attachment E section VI.C:</p> <p><u>What is the variability in the degree of initial dilution that occurs under typical and atypical oceanographic conditions?</u></p>	<p>The San Diego Water Board agrees that the plume tracking study should determine the variability of initial dilution under typical and atypical oceanographic conditions.</p> <p>The San Diego Water Board has added the following monitoring question to Attachment E section VI.C, as monitoring question (7) in the MRPs of the Tentative Orders:</p> <p><u>What is the variability in the degree of initial dilution that occurs under typical and atypical oceanographic conditions?</u></p>	<p>Added monitoring question (7) to Attachment E section VI.C of the Tentative Orders</p>
11	<p>The City and the SEJPA request the following changes to Attachment E section VI.C.3, 1st paragraph and subsection “a” and “b”:</p> <p>Plume Tracking Monitoring Plan (PTMP). The Discharger shall, in consultation with the San Diego Water Board, prepare and submit a PTMP to implement an ongoing program designed to evaluatemap dispersion and fate of the wastewater plume discharged from the</p>	<p>As noted in the response to Comment No. 3, the San Diego Water Board agrees that “assess” is a more appropriate term than “map”, as map implies geographic plot.</p> <p>The San Diego Water Board agrees that the feasibility analyses should also include an assessment of advantages, disadvantages, and usefulness of the installation of a permanent oceanographic mooring system.</p> <p>The San Diego Water Board believes the feasibility analysis should involve a permanent oceanographic mooring system</p>	<p>Modified Attachment E section VI.C.3, 1st paragraph and subsections “a” and “b” of the Tentative Orders</p>

Response to Comments Report
Tentative Order No. R9 2018-0002

No.	Comment	Response	Action Taken
	<p>SEOO. The PTMP shall include, but is not limited to, <u>the</u> following elements:</p> <p>a. A feasibility analysis, including <u>an assessment of advantages, disadvantages, cost, usefulness</u> and effectiveness for the installation and operation by the Discharger of a permanent, real-time oceanographic mooring system located near the terminal diffuser structure of the SEOO. <u>If determined to be cost-effective and feasible for addressing the plume tracking study goals, t</u>he mooring system shall be designed to measure, at minimum, direction and velocity of subsurface currents, and ocean stratification. This element shall also, <u>if applicable,</u> include:</p> <p>b. A feasibility analysis, including <u>an assessment of advantages, disadvantages, cost, usefulness</u> and effectiveness for the development of a work plan or pilot study (special study) for utilizing advanced oceanographic sampling technologies such as an autonomous underwater vehicle (AUV) or remotely operated towed vehicle (ROTV) in conjunction with the SEOO real-time mooring system to enhance collection of water quality data in real-time and provide higher resolution maps of plume location and movement. The Discharger may collaborate with other agencies (e.g., the City of San Diego) in the development of a work plan or pilot study.</p>	<p>that is designed to measure, at minimum, the direction and velocity of subsurface currents, and ocean stratification. However, the San Diego Water Board agrees that a work plan or pilot study for implementing the mooring system, and networking the mooring system to be compatible with similar systems is only needed if deemed feasible.</p> <p>The San Diego Water Board has modified Attachment E section VI.C.3 in the MRPs of the Tentative Orders as follows:</p> <p>Plume Tracking Monitoring Plan (PTMP). The Discharger shall, in consultation with the San Diego Water Board, prepare and submit a PTMP to implement an ongoing program designed to <u>evaluatemap</u> dispersion and fate of the wastewater plume discharged from the SEOO. The PTMP shall include, but is not limited to, <u>the</u> following elements:</p> <p>a. A feasibility analysis, including <u>an assessment of advantages, disadvantages, cost, usefulness,</u> and effectiveness for the installation and operation by the Discharger of a permanent, real-time oceanographic mooring system located near the terminal diffuser structure of the SEOO. The mooring system shall be designed to measure, at minimum, direction and velocity of subsurface currents, and ocean stratification. <u>If the San Diego Water Board determines that the real-time oceanographic mooring system is cost-effective and feasible for addressing the plume tracking study goals, t</u>his element shall also include:</p> <p>i. Development of a work plan or pilot study (special study) for implementation of the SEOO real-time mooring system, including data acquisition and processing.</p> <p>ii. Networking the SEOO system to be compatible with a similar system being deployed by other Dischargers in the San</p>	

Response to Comments Report
Tentative Order No. R9 2018-0002

No.	Comment	Response	Action Taken
		<p>Diego Region, as well as a third system operated by the University of California San Diego, Scripps Institution of Oceanography in the coastal waters off the City of Del Mar.</p> <p>b. A feasibility analysis, including <u>an assessment of advantages, disadvantages</u>, cost, <u>usefulness</u> and effectiveness for the development of a work plan or pilot study (special study) for utilizing advanced oceanographic sampling technologies such as an autonomous underwater vehicle (AUV) or remotely operated towed vehicle (ROTV) in conjunction with the SEOO real-time mooring system to enhance collection of water quality data in real-time and provide higher resolution maps of plume location and movement. The Discharger may collaborate with other agencies (e.g., the City of San Diego) in the development of a work plan or pilot study.</p>	
12	<p>The City and the SEJPA request that the San Diego Water Board delete the stray parenthesis at end of the definition for Toxicity Identification Evaluation (TIE), in Attachment A.</p>	<p>The San Diego Water Board has corrected the typographical error.</p> <p>Attachment A, definition for Toxicity Identification Evaluation (TIE) has been modified as follows:</p> <p>Toxicity Identification Evaluation (TIE)</p> <p>A set of procedures conducted to identify the specific chemical(s) responsible for toxicity. These procedures are performed in three phases (characterization, identification, and confirmation) using aquatic organism toxicity tests.)</p>	<p>Modified Attachment A, definition for Toxicity Identification Evaluation (TIE) of the Tentative Orders</p>
13	<p>The City and the SEJPA recommend adding the <i>Water Quality Control Plan for Ocean Waters of California, California Ocean Plan</i> (Ocean Plan) definition for “Zone of Initial Dilution” to Attachment A.</p>	<p>The Ocean Plan does not contain a definition for “Zone of Initial Dilution.” However, the Ocean Plan does include a definition for “Initial Dilution,” which has already been included in Attachment A of the Tentative Orders.</p>	<p>None necessary</p>
14	<p>The City and the SEJPA request that the San Diego Water Board change the sampling method for dichlorobromomethane from “24-hour composite” to “grab”</p>	<p>The San Diego Water Board agrees that a grab sample is appropriate for volatile organic compounds and has modified the MRPs, Attachment E section III.B.3, Table E-5</p>	<p>Modified Attachment E section III.B.3, Table E-5 of</p>

Response to Comments Report
Tentative Order No. R9 2018-0002

No.	Comment	Response	Action Taken						
	<p>because dichlorobromomethane is a volatile organic compound, assessed using EPA Method 624.</p>	<p>of Tentative Order No. R9-2018-0002 and Table E-3 of Tentative Order No. R9-2018-0003 as requested:</p> <table border="1" data-bbox="1052 321 1692 443"> <thead> <tr> <th data-bbox="1052 321 1283 370">Parameter</th> <th data-bbox="1283 321 1377 370">Units</th> <th data-bbox="1377 321 1692 370">Sample Type</th> </tr> </thead> <tbody> <tr> <td data-bbox="1052 370 1283 443">Dichlorobromomethane</td> <td data-bbox="1283 370 1377 443">µg/L</td> <td data-bbox="1377 370 1692 443">Grab 24-hour Composite</td> </tr> </tbody> </table>	Parameter	Units	Sample Type	Dichlorobromomethane	µg/L	Grab 24-hour Composite	<p>Tentative Order No. R9-2018-0002 and Table E-3 of Tentative Order No. R9-2018-0003</p>
Parameter	Units	Sample Type							
Dichlorobromomethane	µg/L	Grab 24-hour Composite							
<p>15</p>	<p>The City and the SEJPA request the following changes to Attachment E section III.C.4, 2nd paragraph:</p> <p>Species sensitivity rescreening is required every 24 months if there has been discharge during dry weather condition. If the discharge has been intermittent and occurs only during wet weather, rescreening is not required. If rescreening is required, the discharger shall rescreen with the marine ...</p>	<p>The San Diego Water Board agrees that the deleted text does not apply to the City's and SEJPA's discharges to the SEOO and has modified Attachment E section III.C.4 in the MRPs of the Tentative Orders as follows:</p> <p>Species sensitivity rescreening is required every 24 months. if there has been discharge during dry weather condition. If the discharge has been intermittent and occurs only during wet weather, rescreening is not required. If rescreening is required, the discharger shall rescreen with the marine ...</p>	<p>Modified Attachment E section III.C.4 of the Tentative Orders</p>						
<p>16</p>	<p>The City and the SEJPA request the following changes to Attachment E section III.C.8.c, because the City and the SEJPA is not in charge of pollution prevention and storm water control programs, and thus cannot always dictate coordination terms:</p> <p>Many recommended TRE elements parallel required or recommended efforts for source control, pollution prevention, and storm water control programs. <u>Whenever possible</u>, TRE efforts should be coordinated with such efforts.</p>	<p>The San Diego Water Board agrees with the City and the SEJPA and has modified Attachment E section III.C.8.c in the MRPs of the Tentative Orders as follows.</p> <p>Many recommended TRE elements parallel required or recommended efforts for source control, pollution prevention, and storm water control programs. <u>Whenever possible</u>, TRE efforts should be coordinated with such efforts.</p>	<p>Modified Attachment E section III.C.8.c of the Tentative Orders</p>						
<p>17</p>	<p>In Attachment E section IV.A, Table E-7, the City and the SEJPA request that repeat sampling after a single sample exceedance not be required if the exceedance occurred within 48-hours of a rain event. Historical data indicate that storm water runoff is the cause of bacteriological contamination in the surf zone during and after storm events.</p>	<p>The San Diego Water Board agrees that repeat sampling should not be required if the source of the exceedance is a rain event and has modified the MRPs, Attachment E section IV.A.1, Table E-7 footnote 3 of Tentative Order No. R9-2018-0002 and Table E-4 footnote 3 of Tentative Order No. R9-2018-0003 as follows:</p> <p>If a single sample exceeds any of the single sample maximum bacterial standards contained in section V.A.1.a.ii of this Order, repeat sampling at that location</p>	<p>Modified Attachment E section IV.A.1, Table E-7 footnote 3 of Tentative Order No. R9-2018-0002 and Table E-4 footnote 3 of Tentative</p>						

Response to Comments Report
Tentative Order No. R9 2018-0002

No.	Comment	Response	Action Taken
		<p>shall be conducted to determine the extent and persistence of the exceedance. Repeat sampling shall be conducted within 24 hours of receiving analytical results and continued until the sample result is less than the single sample maximum standard or until a sanitary survey is conducted to determine the source of the high bacterial densities. When repeat sampling is required because of an exceedance of any one single sample density, results from all samples collected during that 30-day period will be used to calculate the 30-day geometric mean. <u>If the source of the bacterial exceedance is due to a rain event, the Discharger may cite this source in the "sanitary survey" and in such cases not conduct the repeat sampling.</u></p>	<p>Order No. R9-2018-0003</p>
18	<p>The City and the SEJPA request the following correction: remove the reference to "chlorophyll a" in Attachment E section IV.B, Table E-8 footnote 4, first sentence.</p>	<p>The San Diego Water Board has modified MRPs, Attachment E section IV.B, Table E-8 footnote 4 of Tentative Order No. R9-2018-0002 and Table E-5 footnote 4 of Tentative Order No. R9-2018-0003 as requested:</p> <p>Temperature, depth, salinity, dissolved oxygen, light transmittance, <u>and pH, and chlorophyll a</u> profile data shall be measured throughout the entire water column using a CTD profiler during the quarterly sampling events. Depth profile measurements shall be obtained using multiple sensors to measure parameters through the entire water column (from the surface to as close to the bottom as practicable).</p>	<p>Modified Attachment E section IV.B, Table E-8 footnote 4 of Tentative Order No. R9-2018-0002 and Table E-5 footnote 4 of Tentative Order No. R9-2018-0003</p>
19	<p>The City and the SEJPA request that Attachment E section IV.D.1, Table E-10 clarify the exact sampling requirements regarding "grabs" and "cores".</p>	<p>The number of sediment cores is dependent on the number of diver survey transects that are in sandy areas. The San Diego Water Board has clarified the sampling requirements of "4 Transects / Station" in in the MRPs, Attachment E section IV.D.1, Table E-10 of Tentative Order No. R9-2018-0002 and Table E-7 of Tentative Order No. R9-2018-0003 as follows:</p>	<p>Modified Attachment E section IV.D.1, Table E-10 of Tentative Order No. R9-2018-0002 and Table E-7 of Tentative Order No. R9-2018-0003</p>

Response to Comments Report
Tentative Order No. R9 2018-0002

No.	Comment	Response				Action Taken
		Parameter	Units	Sample Type	Sampling Frequency	
		Biological Transects	Identification and enumeration	4 Grabs <u>Transects</u> / Station	Once During The Permit Term	
20	<p>The City and the SEJPA request the following changes to Attachment E section VI.A, first sentence. The change accounts for existing climate action plan (or plans).</p> <p>The discharger shall prepare and submit a Climate Change Action Plan (CCAP) within three years of the effective date of this order.</p>	<p>The San Diego Water Board believes that the requested change is unnecessary. Attachment E section VI.A in the MRPs of the Tentative Orders already allows the City and the SEJPA to make use of existing climate change-related plans.</p>				None necessary
21	<p>The City requests that the San Diego Water Board remove the requirement to maintain in good working order a sufficient alternate power source for operating the Membrane Filtration/Reverse Osmosis (MFRO) Facility, because the MFRO Facility is a “scalping” facility that provides additional treatment for a portion of the Hale Avenue Resource Recovery Facility (HARRF) tertiary-treated wastewater.</p>	<p>The San Diego Water Board has maintained the requirement for an alternate power source for operating the MFRO Facility in the Tentative Order. To protect a pressure-restricted section of the SEOO from rupture, effluent flows from HARRF through the Escondido Land Outfall (ELO) are regulated through a flow control station prior to discharge to the SEOO. During wet weather, the City has experienced several episodes when the effluent flows from HARRF exceeded the outfall system and the City was forced to discharge effluent to the Escondido Creek (in January 1993, March 1995, January 1997, and January/February 2005). The City applied for and received an NPDES permit to discharge tertiary-treated effluent to Escondido Creek during periods when significant precipitation causes effluent flows from HARRF to exceed the outfall system (Escondido Wet Weather Permit)¹. The City, however, is unable to meet the effluent limitations in the Escondido Wet Weather Permit. Based on the City’s preferred method of compliance with the Escondido Wet Weather Permit, the San Diego Water Board issued a Time Schedule Order to terminate the</p>				None necessary

¹ On June 24, 2015, the San Diego Water Board adopted Order No. R9-2015-0026, NPDES Permit No. CA0108944, *Waste Discharge Requirements for the City of Escondido, Hale Avenue Resource Recovery Facility, Intermittent Wet Weather Discharge to Escondido Creek, San Diego County*.

Response to Comments Report
Tentative Order No. R9 2018-0002

No.	Comment	Response	Action Taken
		discharge to Escondido Creek (TSO) ² . The MFRO Facility is included in the TSO section B, <i>Compliance Schedule</i> , to terminate discharge to Escondido Creek. Based on this information, the MFRO Facility is a critical facility during wet-weather events and thus must have a sufficient alternate power source in the event of a power outage during a wet-weather event.	
22	The City requests that the San Diego Water Board delete section VI.C.5.b.vii of the Tentative Order, because this section is a repeat of section VI.C.5.b.v.	<p>The San Diego Water Board agrees that section VI.C.5.b.vii of the Tentative Order is unnecessary and has deleted the section from the Tentative Order as follows:</p> <ul style="list-style-type: none"> v. The Discharger shall provide a written technical evaluation of the need to revise local limits under 40 CFR section 403.5(c)(1) following permit reissuance (40 CFR section 122.44(j)(2)(ii)). vi. The Discharger shall continue with its implementation of a Non-Industrial Source Control Program, consisting of a public education program designed to minimize the entrance of non-industrial toxic pollutants and pesticides into the sanitary sewer system. The Program shall be reviewed periodically and addressed in the annual report required under Section VI.C.5.c.iv. vii. The Discharger shall provide a written technical evaluation of the need to revise local limits under 40 CFR 403.5(c)(1) following permit reissuance (40 CFR 122.44(j)(2)(ii)). 	Deleted section VI.C.5.b.vii
23	The City requests that the San Diego Water Board add a footnote to Table E-4, which states that monitoring at Monitoring Location EFF-002 is to commence once MFRO operations are initiated, because the MFRO Facility is not yet constructed.	The San Diego Water Board does not believe that the requested change is necessary, and including such a footnote could cause some confusion as the MFRO Facility is brought on line. Rather than adding the suggested footnote, the San Diego Water Board recommends that the City report zero discharge prior to construction and	None necessary

² On June 24, 2015, the San Diego Water Board adopted Time Schedule Order No. R9-2015-0027 *Requiring The City of Escondido Hale Avenue Resource Recovery Facility To Comply With Requirements Prescribed In Order Number R9-2015-0026 NPDES Permit No. CA0108944.*

Response to Comments Report
Tentative Order No. R9 2018-0002

No.	Comment	Response	Action Taken
		whenever the MFRO Facility is not in operation. Monitoring for the parameters listed in Table E-4 of the Tentative Order is not required when the discharge flow is zero.	
24	<p>The City requests the following corrections to Attachment F section II, last sentence:</p> <p>The proposed MFRO Facility would be sized to produce 2 MGD of MFRO product water, which depending on agricultural demands, would be blended with a quantity of HARRF disinfected tertiary-treated recycled water to produce a final agricultural reuse supply that will typically meet an agricultural supply chloridetotal-dissolved-solids target criterion of 80600 milligrams per liter or less <u>when practical</u>.</p>	<p>The San Diego Water Board has modified Attachment F section II of the Tentative Order as requested:</p> <p>The proposed MFRO Facility would be sized to produce 2 MGD of MFRO product water, which depending on agricultural demands, would be blended with a quantity of HARRF disinfected tertiary-treated recycled water to produce a final agricultural reuse supply that will typically meet an agricultural supply total-dissolved-solidschloride target criterion of 60080 milligrams per liter or less, <u>when practical</u>.</p>	Modified Attachment F section II
25	<p>The City requests the following corrections to Attachment F section II.E, sixth bullet item:</p> <p>Constructing a 1546-inch-diameter brine line to convey RO reject (waste brine) from the proposed MFRO Facility (and from existing or future industrial customers) to the Discharger's Industrial Brine Collection System (IBCS) and then to the SEOO (Phase IV of the TSO).</p>	<p>The San Diego Water Board has modified Attachment F section II.E of the Tentative Order as requested:</p> <p>Constructing a 4615-inch-diameter brine line to convey RO reject (waste brine) from the proposed MFRO Facility (and from existing or future industrial customers) to the Discharger's Industrial Brine Collection System (IBCS) and then to the SEOO (Phase IV of the TSO).</p>	Modified Attachment F section II.E
<p>Robert Win, Environmental Scientist, California Department of Fish and Wildlife; written comment dated February 5, 2018</p>			
26	<p>Mr. Win commented on Attachment E section IV.D.2.c.ii. regarding the species of rockfish targeted for fish tissue analysis. Mr. Win stated that the density of copper rockfish is generally low and the groundfish management division tend to restrict or prohibit the take of this species.</p>	<p>The San Diego Water Board has removed copper rockfish (<i>Sebastes caurinus</i>) as a targeted species for fish tissue analysis. To decrease potential bycatch and incidental mortality associated with the increased fishing effort to target a specific species, the language has been modified to specify all rockfish species excluding species restricted by the California Department of Fish and Wildlife.</p> <p>The San Diego Water Board has modified Attachment E section IV.D.2.c.ii in the MRPs of the Tentative Orders as follows:</p> <p>ii. Rockfish (<i>Sebastes spp.</i>), <u>excluding species restricted by the California Department of Fish and Wildlife</u></p>	Modified Attachment E section IV.D.2.c.ii of the Tentative Orders

No.	Comment	Response	Action Taken
		<p>including but are not limited to the vermilion rockfish (<i>Sebastes miniatus</i>) and the copper rockfish (<i>Sebastes caurinus</i>). If sufficient numbers of these primary species <u>rockfish</u> are not present or cannot be caught in a particular zone, secondary target species (e.g., other rockfish, scorpionfish) may be collected and analyzed as necessary.</p>	