

April 5, 2012

To: Ms. Joanna Jensen and Members of the State Water Resources Control Board.

RE; Comment Letter – Desalination Facilities and Brine Disposal.

Dear Ms. Jensen and Board Members;

Thank you for this opportunity to comment on the above referenced issue. The Board Members and staff should be commended for the thorough documentation and presentation for public review of the desalination facilities and brine disposal discharge requirements for large scale (50MGD) seawater desalination plants. We would be remiss in our responsibilities as concerned citizens if we did not take the time and make the effort to respond to some of these very complex issues.

Specifically, SWRCB NPDES Permit No. CA8000403 Fact Sheet F-21 (Poseidon) states;

D. Impaired Water Bodies on CWA 303(d) List

"California's 2006 list of impaired water bodies is prepared by the State Board pursuant to

Section 303(d) of the CWA. These waters are not expected to meet applicable water quality standards after implementation of technology-based effluent limitations for point sources. The Huntington Beach State Park is included in the 303d list for enterococci, indicator bacteria, and PCBs (Polychlorinated biphenyls). The nearshore and offshore zones of Huntington Beach State Park are the immediately affected receiving waters of discharges from the Facility."

COMMENT:

The California Coastal Act clearly requires that the water quality in the receiving waterbody not be further degraded by the brine discharge from the desalination plant. The concentration of contaminants in the brine discharge to the receiving water body are always increased above that of the source water by the desalination process.

REF:

Section 30231 Biological productivity; water quality

"The biological productivity and the quality of coastal waters, streams, wetlands, estuaries, and lakes appropriate to maintain optimum populations of marine organisms and for the protection of human health shall be maintained and, where feasible, restored through, among other means, minimizing adverse effects of waste water discharges and entrainment, controlling runoff, preventing depletion of ground water supplies and substantial interference with surface waterflow, encouraging waste water reclamation, maintaining natural vegetation buffer areas that protect riparian habitats, and minimizing alteration of natural streams."

Also, the California Coastal Act states;

Section 30255 Priority of coastal-dependent developments

"Coastal-dependent developments shall have priority over other developments on or near the shoreline. Except as provided elsewhere in this division, coastal-dependent developments shall not be sited in a wetland. When appropriate, coastal-related developments should be accommodated within reasonable proximity to the coastal-dependent uses they support."

COMMENT:

For example, the Poseidon desalination plant (NPDES Permit No. CA8000403) in Huntington Beach is proposing to transport product water to customers residing as far away as South Orange County which is clearly inconsistent with "within reasonable proximity to the coastal-dependent uses they support." as stated in the above referenced Section 30255 of the Coastal Act.

Your attention, and that of the SWRCB Board and Staff Members, to the apparent areas of conflict between the RWQCB NPDES permit language and the California Coastal Act is greatly appreciated.

Sincerely;
Donald P. Schulz (562)430-2260
Member, Environmental Stakeholder Coalition.