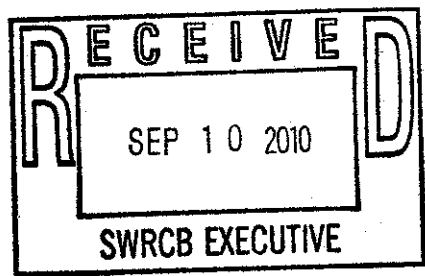




San Diego County Water Authority
4677 Overland Avenue • San Diego, California 92123-1233
(858) 522-6600 FAX (858) 522-6568 www.sdcwa.org



September 10, 2010

Sent via E-Mail

Jeanine Townsend, Clerk to the Board
State Water Resources Control Board
PO Box 100
Sacramento, CA 95812-0100

MEMBER AGENCIES

- Carlsbad Municipal Water District
- City of Del Mar
- City of Escondido
- City of National City
- City of Oceanside
- City of Poway
- City of San Diego
- Fallbrook Public Utility District
- Helix Water District
- Lakeside Water District
- Olivenhain Municipal Water District
- Clay Water District
- Pedre Dam Municipal Water District
- Camp Pendleton Marine Corps Base
- Rainbow Municipal Water District
- Ramona Municipal Water District
- Rincon del Diablo Municipal Water District
- San Diego Water District
- Santa Fe Irrigation District
- South Bay Irrigation District
- Vallacitos Water District
- Valley Center Municipal Water District
- Vista Irrigation District
- Yuima Municipal Water District

Comment Letter – California Ocean Plan Scoping Document

Dear Ms. Townsend:

Thank you for the opportunity to comment on the proposed scoping document to the California Ocean Plan. The San Diego County Water Authority (Water Authority) submits the following comments regarding Item 10 Desalination Facilities and Brine (Item 10). As the regional wholesale supplier of water for more than 65 years, we support the development of reliable local water supplies including seawater and groundwater desalination, conservation, and water recycling.

Seawater desalination is one of the few options we have in San Diego County to develop significant new local water. The State of California, in the California Water Plan Update 2005, included desalination as a resource management strategy to meet California's future water needs. The Water Authority is committed to, and is counting on, seawater desalination as a new, local water supply for the county. We are looking to the Carlsbad Desalination Project to provide 56,000 acre-feet of reliable local water by 2013, and we are studying the feasibility of a regional desalination project that would be located on Camp Pendleton.

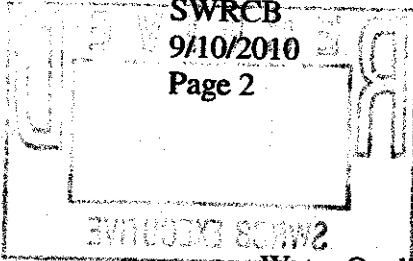
We are asking for you to consider Alternative #1 No Action for Item 10. This will prevent any artificial standard, such as percent of natural background salinity, from impeding the need for desalination, where feasible and appropriate, to meet the water supply needs of our current and future generations. We are suggesting Alternative #1 No Action for the following reasons:

Brine water quality objectives are not necessary. The identified concern in the scoping document is that there are no Ocean Plan water quality objectives that apply specifically to brine waste discharges from desalination plants. As all brine discharges require NPDES permits, these permits (and the conditions they contain) ensure that the ocean environment is not impacted by these discharges. In addition, The Ocean Plan currently has adequate protection through existing standards:

OTHER REPRESENTATIVE

County of San Diego

A public agency providing a safe and reliable water supply to the San Diego region



- Water Quality objectives are set for bacteriological, physical, chemical and biological characteristics of receiving water for discharge
- Objectives include concentrations of metals, and/or the chemical constituents for a discharge for the protection of all beneficial uses including habitats for marine species and well as human health
- Standards that apply to the naturally occurring chemical constituents found in seawater that are concentrated as part of the desalination process and discharged back into the ocean as brine

The requirements for NPDES and existing water quality objectives ensure that the ocean environment is not impacted by these discharges.

A narrative for brine discharges will impact many types of discharges, not just ocean water desalination. These include water recycling concentrate and brine lines as well as desalination concentrate from ocean desalination and groundwater desalination plants. Please be mindful that all of these discharges are being successfully regulated today and that any additional regulation will impact/ impede these facilities also. As more and more water is recycled, waste water treatment plant discharges become more concentrated and saline. Existing and planned brine lines combat the issues of salt loading in our inland basins. Brine lines are and will continue to be viable solutions to basin salinity problems.

Regional Boards are successfully permitting brine discharges today, and an additional layer of regulations is unnecessary to protect the marine environment. As noted, there is adequate existing regulations for Regional Boards to protect the oceans from saline discharges. The Regional Boards have successfully permitted numerous seawater desalination, groundwater desalination, recycled water concentrate and brine line projects. No additional regulation is needed.

Good science does not exist today to set a percent of background salinity narrative. It is not appropriate to have a statewide percent of natural background as suggested in Alternative #2. This attempt to find a simple state-wide formula to fit all coastal environments suffers from three major problems: 1) the practical difficulties of defining what natural background is; 2) the significant disparity in natural background levels found throughout the state; and 3) the enormous range from place to place in the natural variability of those background levels. The acute and chronic toxicity standards in the Ocean Plan have been successfully applied to permits for brine discharge by the Regional Boards. They are very site-specific and species-specific. Conditions such as blending and time of dispersal of the brine plume all play a part in regional decisions applicable to

Jeanine Townsend
SWRCB
9/10/2010
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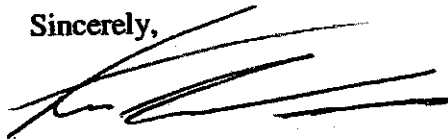
the unique conditions of a region's ocean environments. Due to the variability of coastal currents, brine plumes vary in size and trajectory over time, and may influence multiple types of habitat, each of which may have different tolerances to salinity variation. The variability of currents also influences the amount of time that free floating organisms are exposed to brine plumes.

There is no need for an artificial percent of background salinity narrative.
In some cases this would be overprotective, in some under-protective. A blanket condition of a certain percent of natural conditions is not good science. Regional Boards are doing a good job in applying the Ocean Plan. Staff has accurately described why alternative #3 is not workable. The cited study on sea urchins itself suggested more study is needed. In addition, test protocols have changed since that study was conducted and desalination technology has advanced, so the study results most likely are not representative of current conditions. The water industry has already stepped forward to initiate additional site-specific research on hyper-salinity effects and will continue to do so as new sites are proposed. Good public policy would suggest we get more data and experience before we add new amendments to the Ocean Plan for brine.

In summary, the ocean plan currently offers good methods of protection. It allows for site-specific permits. The NPDES permit process and the acute and chronic toxicity requirements in the existing Ocean Plan are sufficient to protect marine species, and no more needs to be done at this time. We urge you to adopt Alternative #1 No Action.

If you have any questions regarding this letter, please feel free to contact Bob Yamada, Water Resources Manager, by e-mail at ryamada@sdewa.org, or by phone at (858) 522-6744.

Sincerely,



Ken Weinberg
Director of Water Resources