

ATTACHMENT 2: PROPOSED ORDER R3-2025-0008 COMMENTS AND STAFF RESPONSES

During the initial, 30-day public comment period, which concluded on August 22, 2025, Central Coast Water Board staff received written comments on proposed Order R3-2025-0008 (Order) from Marina Coast Water District (MCWD) and Monterey One Water. Central Coast Water Board staff's responses to these comments are provided below. Comments presented are direct transcriptions from the comment letters. Changes to the proposed Order made in response to these comments are described below and denoted by strikethrough text (for deletions) and underlined text (for additions). Staff made several non-substantive changes including correcting section references and typos.

On September 3, 2025, Central Coast Water Board staff initiated a second public comment period for a revised draft Order that incorporated revised conditions from State Water Resources Control Board (State Water Board) *Division of Drinking Water's (DDW) Conditional Acceptance of the Pure Water Monterey Groundwater Replenishment Project Engineering Report (2790002-710)* (Conditional Acceptance Letter) dated August 28, 2025. The second public comment period concluded on September 12, 2025. Central Coast Water Board staff received one written comment in response to the second public comment period from Monterey One Water.

MARINA COAST WATER DISTRICT (MCWD) COMMENTS AND RESPONSES

MCWD – Comment 1

Page iii footnote 1

MCWD's water use is more than just irrigation. MCWD requests that the footnote be updated to non-potable to reflect section 3.3 of the Pure Water Monterey Agreement.

Staff Response to MCWD – Comment 1
Central Coast Water Board staff agree to characterizing MCWD's recycled water use as "non-potable" rather than "irrigation", such that this Order can accommodate additional recycled water uses in the future.
MCWD's recycled water use is authorized through Order WQ 2016-0068-DDW, Water Reclamation Requirements for Recycled Water Use ¹ . In accordance with their August

¹ Order WQ 2016-0068-DDW, Water Reclamation Requirements for Recycled Water Use can be accessed online at:

https://www.waterboards.ca.gov/board_decisions/adopted_orders/water_quality/2016/wqo2016_0068_ddw.pdf

27, 2020, enrollment letter², MCWD is currently authorized to use recycled water for landscape irrigation. However, additional uses of recycled water may be added pending an updated Engineering Report and subsequent revision to MCWD's enrollment in WQ 2016-0068-DDW.

Changes made:

Fact sheet, section 3.1.3: "This Order allows continued delivery of ~~600 AFY~~ of advanced treated recycled water to Marina Coast Water District (MCWD) for landscape irrigation non-potable reuse."

Section 5.4: Central Coast Water Board staff also changed "landscape irrigation" to "recycled water".

MCWD – Comment 2

Page 1, section 1.1

MCWD is the owner and sole operator of the transmission/distribution and storage system.

Staff Response to MCWD – Comment 2

Central Coast Water Board staff have updated project information in the proposed Order to more accurately reflect ownership and operation of the recycled water conveyance pipeline. Monterey One Water remains responsible for reporting any spills of advanced treated recycled water from the entirety of the conveyance system pipeline.

Changes made:

Section 1.1 now states "Monterey One Water owns and operates the Pure Water Monterey Advanced Water Purification Facility (AWPF or Facility) and associated injection wells, and monitoring wells; and owns the portion of the conveyance pipeline directly adjacent to the injection wells.²"

Footnote added: "² The majority of the conveyance pipeline is owned and operated by Marina Coast Water District (MCWD). MCWD is required to comply with requirements related to the conveyance pipeline under Order WQ 2016-0068-DDW, Water Reclamation Requirements for Recycled Water Use. MCWD and Monterey One Water have an agreement that governs inter-agency coordination regarding conveyance system and storage operations and responsibilities."

² Marina Coast Water District's Notice of Applicability for enrollment in WQ 2016-0068-DDW can be accessed online at:

https://geotracker.waterboards.ca.gov/view_documents?global_id=WDR100052417&enforcement_id=6446377

Section 14.5 was updated to clarify Monterey One Water's responsibility regarding spills of recycled water: Section 14.5 now states "If Monterey One Water causes, permits, or becomes aware of, regardless of intent or negligence, an unauthorized discharge of 50,000 gallons or more of advanced treated recycled water, or 1,000 gallons or more of recycled water treated to a level less than advanced treated recycled water, it must immediately notify the Central Coast Water Board¹⁶. "

Footnote added: "¹⁶ *Monterey One Water must report spills that occur anywhere in the distribution system, including components owned by Marina Coast Water District.*"

MCWD – Comment 3

Page 1, section 1.2

MCWD's name is missing as a Facility owner and should be included.

Staff Response to MCWD – Comment 3

In the proposed Order the term "Facility" refers to the AWPf which is owned and operated by Monterey One Water. However, Central Coast Water Board staff understand MCWD owns the majority the conveyance pipeline and Blackhorse reservoir. In MCWD's, enrollment letter for use permit, WQ 2016-0068-DDW, MCWD's Facility is defined as conveyance piping for non-potable reuse and storage in the Blackhorse reservoir.

Change made: MCWD was not added as facility owner in the proposed Order; however, Central Coast Water Board staff updated the document to more accurately reflect ownership and operation of the recycled water conveyance pipeline. See changes made in response to MCWD Comment 2.

MCWD – Comment 4

Page 1, section 1.3

Same as above comment, please incorporate MCWD as an Owner and partner into the project.

Staff Response to MCWD – Comment 4

Central Coast Water Board staff have made clarifications listed in response to comment 2 above and have added MCWD as a partner in Section 1.3.

Change made: Section 1.3 now states "Monterey One Water, in partnership with Monterey Peninsula Water Management District (MPWMD) and Marina Coast Water District (MCWD), developed the Project..."

MCWD – Comment 5

Page 3, section 2.5.1

The conveyance pipeline is fully owned and operated by MCWD. The language should be updated to remove the references to a shared conveyance system and designate ownership appropriately to MCWD, as well as the additional 1 million gallons per day (MGD) from 4.0 to 5.0 MGD as per Addendum No. 3 to the Pure Water Monterey/Groundwater Replenishment Project EIR.

Staff Response to MCWD – Comment 5
Central Coast Water Board staff agree.
Change Made: Central Coast Water Board staff updated Section 2.5.1 to state that “Monterey One Water adopted an addendum to the final EIR and filed a notice of determination on October 31, 2017, to accommodate the shared conveyance system (reservoir and pipeline) <u>with owned by</u> MCWD, and an AWPf capacity increase from 4.0 to 5.0 MGD <u>to increase MCWD’s recycle water use.</u> ”

MCWD – Comment 6

Page 7, section 2.10.3

Most, if not all, of the water injected into the Seaside basin is going to be exported out of the basin for Cal-Am's use on the Monterey Peninsula. The basin itself can support current and future water demands that are extracted and used within the actual basin boundary.

Staff Response to MCWD – Comment 6
Comment noted.
No change made.

MCWD – Comment 7

Page 10, Add to section 5

The flow entitlements are missing for MCWD. MCWD is entitled to a Maximum Day Demand (MDD) of 1.37 MGD to deliver for its retail operations. MCWD requests the addition of its allotted 1.37 MGD per its Pure Water Monterey Agreement to be included.

Staff Response to MCWD – Comment 7
The Central Coast Water Board does not have authority to regulate or assign minimum flow allocations or entitlements to individual users. Allocation of flows is governed by the Pure Water Monterey Agreement, to which the Central Coast Water Board is not a party.

No change made.

MCWD – Comment 8

Page 10, Add to section 5

M1W has a right to use 25% of MCWD’s 2-million-gallon tank. That water is given priority for use “Last in, First out”. When the tank is below 75% MCWD customers will have priority to deliveries and injection operations may be curtailed to rebuild the necessary supplies to shift back to injection operations.

Staff Response to MCWD – Comment 8
The Central Coast Water Board does not have authority to regulate or assign minimum flow allocations or entitlements to individual users. Allocation of flows is governed by the Pure Water Monterey Agreement, to which the Central Coast Water Board is not a party.
No change made.

MCWD – Comment 9

Page 10, Update section 5.3

MCWD has contractual rights under the Pure Water Monterey Agreement for 1,427 acre-feet in total. The entire document only references 600 acre-feet. MCWD has obligated the full capacity of its first phase of the 600 acre-feet and has called for Phase II, the additional 827 acre-feet will begin development shortly after PWM Expansion is online. M1W has accepted MCWD’s request. MCWD is also currently permitted to use washdown water, irrigation, and cooling under Conditional Acceptance Letter 2790009-703, and is authorized for injection under the Pure Water Monterey Agreement. MCWD understands that its own recycled water permit will need to be amended to add the additional water. However, the priority for the production of pure water will contractually go to MCWD. Therefore, the defined water quantity for recycled irrigation and other appropriate purposes should be either removed or updated to the full 1,427 acre-feet of produced water for MCWD non-potable use.

Staff Response to MCWD – Comment 9
Central Coast Water Board understands MCWD is working with Monterey One Water to determine future allocations. Staff modified language in the proposed Order to clarify 600 AFY is based on the current DDW-approved Title 22 Engineering Report. If this value changes in the future as part of updated DDW-approved Title 22 engineering report, the Executive Officer, under the delegated authority granted in section 2.11 of the proposed Order, may consider incorporating this modification into Attachment D of this Order, as appropriate, after consulting with and receiving recommendations from DDW. Central Coast Water Board staff look forward to working with MCWD on future use projects.

Changes Made:

Section 5.4 "Monterey One Water is authorized to deliver up to ~~600 AFY~~ of advanced treated recycled water to MCWD for non-potable recycle water use, pursuant to the most recent DDW-approved Title 22 Engineering Report and Attachment D, Waste Discharge Requirements. The current approved limit is 600 AFY."

Section 3.1.3 of the Fact Sheet: "...This Order allows continued delivery of ~~600 AFY~~ of advanced treated recycled water to MCWD."

MCWD – Comment 10

Page 14, Table 5

MCWD requests clarification on why the level of Trichloroethylene (TCE) in the product water is allowed to be at the same level as the maximum contaminant level (MCL), however, in contrast, MCWD has a provision in its recycled water permit on our potable water make-up at the Blackhorse tank due to the low levels of TCE found in two of the MCWD's active wells. The TCE levels in the two affected wells are significantly below the MCL, and levels of TCE are typically non-detectable in all of MCWD's active potable tanks, which would be the source water for the make-up at Blackhorse. MCWD asks that the State Board allow the potable make-up water to be included in this permit in the event of an extended plant outage or shortage of water, which would cause a loss to MCWD's on-demand recycled water customers.

Staff Response to MCWD – Comment 10

The permit limit is set at the maximum contaminant level (MCL), consistent with Title 22 chapter 3, article 5.2 section 60320.201, Advanced Treatment Criteria (i). The treatment system, however, is designed and expected to remove TCE and other VOCs to non-detectable concentrations. Central Coast Water Board staff can consider the request to add makeup water under the use permit, WQ 2016-0068-DDW. Central Coast Water Board staff will coordinate with DDW, Monterey One Water, and MCWD to discuss next steps regarding updating the use permit.

No change made.

MCWD – Comment 11

Page 15, Table 7

The disinfection byproducts are only tested at the AWPf product water and not at the locations with the most contact time with the disinfectant. MCWD believes the sampling should follow the Disinfection Byproduct (DBP) rules (Stage 1 and 2) and samples should be taken at the furthest points, with the most residency time (i.e., the Blackhorse Tank and the Injection Wells).

Staff Response to MCWD – Comment 11
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Title 22 section 60320.201 (i) requires that each month a producer “shall collect samples (grab or composite) <u>representative of the effluent</u> of the advanced treatment”. As confirmed by DDW staff, samples must therefore be collected immediately after treatment. To ensure groundwater protection, Monterey One Water is also required to sample DBPs in monitoring wells to ensure no degradation of groundwater quality.

No change made.

MCWD – Comment 12

Page 28, section 14.20

MCWD asks that this paragraph clarify that MCWD irrigation can continue if the water quality still meets Water Reclamation Requirements for Recycled Water Use for irrigation water. This will also allow for any off-spec water not suitable for injection to be purged from the conveyance pipeline and storage tank.

Staff Response to MCWD – Comment 12
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As Central Coast Water Board staff understand, purging the line would only occur on very rare occasions. Pursuant to section 14.20 of the proposed Order, Central Coast Water Board and DDW staff will review requests for use of off-spec water on a case-by-case basis and may grant approval as appropriate. Central Coast Water Board staff recommend early coordination between MCWD, Monterey One Water, DDW and Central Coast Water Board staff to plan to discuss protocols and required approvals surrounding this scenario.

No change made.

MCWD – Comment 13

Attachment D-8, section 4.3.2

While MCWD has proactively worked with Monterey One Water and Cal-Am on the [notification and response plan] NRP, as of the date of this letter, MCWD has not signed off on it in its entirety and is awaiting the other conditions above to be resolved before signing off.

Staff Response to MCWD – Comment 13
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Comment noted. The proposed Order requires the Notification and Response Plan (NRP) must be approved by DDW prior to start of delivery of product water from the expanded AWPf to the injection wells.
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Comment noted. No change made.

MCWD – Summary Comment

MCWD strongly believes that, as a joint owner in this project, the permit should be issued as a joint permit between the two agencies. As both Monterey One Water and MCWD have vested interests in the water and ownership in the facilities.

Staff Response to MCWD – Summary Comment
Monterey One Water, as the owner and operator of the advanced water purification facility and groundwater injection wells, submitted the Report of Waste Discharge (ROWD) pursuant to Water Code section 13260, and as such is the named discharger on this permit.
Further, it is the established practice of Central Coast Water Board staff to enroll producers and users of recycled water under separate permits when they are not the same entity. MCWD's use of recycled water is authorized through their enrollment in Water Reclamation Requirements for Recycled Water Use, Order WQ 2016-0068-DDW.
No change made.

MONTEREY ONE WATER, RECEIVED AUGUST 22, 2025, COMMENTS AND RESPONSES

Monterey One Water expressed its full support for adoption of the proposed Order, and provided comments, with requested additional text shown as underlined. Monterey One Water (M1W) staff also provided an email comment on July 31, 2025, and a support letter during the second public comment period.

Monterey One Water – Comment 1

Permit, Page 10, (6.1 pH)

... The pH of advanced treated recycled water after conveyance and near groundwater injection operations must be greater than 6.5 and must not exceed 8.4 pH units.¹⁰

¹⁰. Attachment F states that the limit is based on the Basin Plan, Table 3-1 which contains Water Quality Objectives for Groundwater, in this case for Agricultural Supply (AGR) beneficial uses. The table states "Guidelines are flexible and should be modified when warranted by local experience or special conditions of crop, soil, and method of irrigation."

Explanation: M1W intends to exercise the flexibility provided by Basin Plan Table 3-1 (footnote a) for pH compliance. M1W will submit pH data of Advanced Water Purification Facility (AWPF) product water after conveyance and prior to injection to the Seaside Basin to best meet the intention of the pH limit as outlined in the Fact Sheet

section 5.3.1 and Table 3-1 of the Basin Plan. The pH of AWPf product water is reduced as it is conveyed from the AWPf to the injection wells. Accounting for this special condition, the PWM Project water quality will meet the intent of the Basin Plan and M1W can optimize operations.

Staff Response to Monterey One Water – Comment 1

Central Coast Water Board staff concur that pH compliance can be evaluated and monitored at the injection wells, rather than at the AWPf effluent, because pH limit is based on the Water Quality Control Plan for the Central Coast Basin (Basin Plan) groundwater objectives. In contrast, pursuant to Title 22, section 60320.201 (i) contaminants having MCLs or NLs must be representative of the AWPf effluent, in which case it would not be appropriate to determine compliance after conveyance.

Changes made:

In section 6.1: “The pH of advanced treated recycled water <u>after conveyance and near the groundwater injection operations</u> must be greater than 6.5 and must not exceed 8.4 pH units.”
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Fact sheet section 5.3.1: “The pH limits are based on the Basin Plan water quality objective in Table 3-1, which specifies minimum and maximum limits of 6.5 to 8.4 pH units for groundwater. <u>As this limit is based on protection of groundwater, and is not based on Title 22, section 60320.201 (i), the point of compliance can be established near the injection wells.</u> ”

Monterey One Water – Comment 2

Attachment D, Page D-8 (Table 1. Injection Limits at Specific Wells)

Change the injection limits for DIW-2 from 46 to 53 acre-feet per month and for DIW-3 from 126 to 170 acre-feet per month in Table 1 as requested in M1W's letter to DDW dated August 21, 2025.

Explanation: M1W has been coordinating with State Water Resources Control Board Division of Drinking Water (DDW) staff regarding changing the injection limits for DIW-2 and DIW-3 and requested their approval in the August 21, 2025 letter. DDW has indicated that they intend to issue a letter regarding this request.

Staff Response to Monterey One Water – Comment 2

Central Coast Water Board staff and DDW concur with the request to change the two volumetric injection limits, as detailed in DDW's <i>Conditional Acceptance of the Pure Water Monterey Groundwater Replenishment Project Engineering Report (2790002-710)</i> (Conditional Acceptance Letter) dated August 28, 2025. Central Coast Water Board revised Attachment D to include the updated conditions in the Conditional
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Approval Letter. The changes to Attachment D were publicly noticed on September 3, 2025, for a second public comment period.

For additional clarity, Central Coast Water Board staff have restated the total injection volume limit set forth in Attachment D section 1.2 into the proposed Order section 5.2. The individual well flow limits remain in Attachment D only. An increase to the total injection volume limit cannot be completed without a revised Engineering Report and a revised Order to be approved by the Central Coast Water Board during a regularly scheduled board meeting.

Change made:

Attachment D, Section 4.2.1, Table 1. the rolling 4-month average injection limits were adjusted as follows:

DIW-2 = 46 53
DIW-3 = ~~126~~ 170

Proposed Order Section 5.2: “Delivery of advanced treated recycled water from the AWPf using DIW-1, DIW-2, DIW-3, DIW-4, VZW-1B, and VZW-2 into the Seaside Basin must not exceed 3,700 AFY. Total delivery of advanced treated recycled water from the AWPf (including the expanded Project wells DIW-5 and DIW-6) into the Seaside Basin must not exceed 5,950 AFY.”

Monterey One Water – Comment 3

Attachment E, Page E-5 to E-9 (Table E-1. Summary of Monitoring locations)

Monitoring Location Name (Sample ID)	Reporting Database	Geotracker Field Point Class	Latitude/ Longitude ^{1,4}	Primary Station Code	Monitoring Location Description
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⁴ The latitude and longitude information in Table E-1 are approximate for administrative purposes.

Explanation: M1W intends to exercise the flexibility of the description of the AWPf product water ("AWPF Prod Water" in Table E-1) Monitoring Location. M1W will report pH data of AWPf product water after conveyance and prior to injection for consistency with the basis of the limit in Attachment F, section 5.3.1 and in Basin Plan, Table 3-1.

Staff Response to Monterey One Water Comment 3

Central Coast Water Board staff agree with the intent of the comment, but not the specific text change. Instead, Central Coast Water Board staff have specified sampling locations for pH at the AWPf effluent and injection wells, however compliance with the pH effluent limit is determined at the injection wells. Monterey One Water must continue to collect continuous data at the AWPf product water for treatment system operational and performance evaluation.

Change made: The following footnote was added to Table E-1: "³ All samples must be collected at the latitude/longitude of the AWPf Prod Water immediately after treatment pursuant to title 22, article 5.2 section 60320.201 (i). The pH must be sampled at the AWPf Prod Water location for operational and performance evaluation. Additionally, pH must be sampled immediately prior to injection at DIW-4 and DIW-6, to evaluate compliance with pH effluent limitation in Order Section 6.1."

Monterey One Water – Comment 4

Attachment E, Page E-15 (Table E-4. Effluent Monitoring at AWPf Prod Water)

pH ²	pH units	Recorder	Continuous ⁴
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² Parameters with water quality objectives established in the Water Quality Control Plan for the Central Coastal Basin (Basin Plan). Refer to Section 6.1 of the Order. Footnote 10.

⁴The total time during which the pH values are outside the Basin Plan objective shall not exceed 7 hours and 26 minutes in any calendar month.

Explanation: Revised Footnote 2 incorporates requested clarifications to Section 6.1 described above for consistency. New Footnote 4 helps ensure compliance despite short-term, continuous analyzer data excursions outside the acceptable pH water quality objective range.

Staff Response to Monterey One Water Comment 4

The guidance referenced by Monterey One Water in this comment refers to Title 40, Code of Federal Regulations section 407.17 and applies to pH limitations under continuous monitoring for discharges to surface water under National Pollutant Discharge Monitoring (NPDES) permits, and as such, does not apply to this proposed Order. After coordination with DDW and Monterey One Water, Central Coast Water Board recommends determining compliance with pH based on a daily average.

Change made: The following footnote was added to Table E-4: "⁴ The pH must be continuously recorded at the effluent and at two injection wells as described in Table E-1. The daily average pH value from the continuous recorders at each injection well must be used for compliance determination with the pH effluent limitation."

Monterey One Water – Comment 5 (Emailed on July 31, 2025)

Attachment D, item 4.2.1

We agree with DDW and your staff that the DIW-1 limit of 29 acre-feet per month (rolling 4-month average) is appropriate because water injected into that well could reach downgradient supply wells in 4-months or less in certain, worst-case situations. However, there is not adequate justification for limits on injection wells DIW-2, -3, and -4. We would like the limits on those three wells to be removed, to provide operational flexibility, maximize the project's water quality and supply benefits, and fully utilize public-funded assets. Our hydrogeology team has a lot of technical information to support this request. In short, there is much more travel time between those three injection wells and downgradient supply wells.

Staff Response to Monterey One Water Comment 5

This comment was received prior to Comment 3. Monterey One Water met with DDW staff during the public comment period regarding the individual volumetric injection limits. On August 21, 2025, Monterey One Water issued a letter to DDW with information supporting revisions to two of those limits that more clearly explained the operational scenarios presented in the Title 22 Engineering Report and appendices. On August 28, 2025, DDW updated Conditional Acceptance Letter accepting the proposed changes to volumetric injection limits for two deep injection wells based on operational injection capacity.

Change made: See changes made in response to Monterey One Water Comment 2 above regarding changes to volumetric injection well limits.

Monterey One Water – Comment 6 (Emailed on September 11, 2025)

"Monterey One Water (M1W) is in support for the adoption of the Draft Waste Discharge and Water Reclamation Requirements Order No. R3-2025-0008 for the Pure Water Monterey Advanced Water Purification Facility and Groundwater Replenishment Reuse Project ("Draft Order") by the Central Coast Regional Water Quality Control Board (Board) on October 9 or 10, 2025.

We are grateful for your Team's effort to refine the Draft Order, including addressing revisions proposed in M1W's public comment letter dated August 22, 2025. M1W does not agree with comments included in the Marina Coast Water District (MCWD) public comment letter with the same date and acknowledges that several of their comments do not fall under the Board's purview and regulatory oversight. M1W continues to collaborate with MCWD staff to address the specifics of our interagency agreements."

Staff Response to Monterey One Water Comment 6
This comment was received during the second public comment period. No additional revisions were requested.
No change made.

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