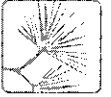




City of Del Mar



August 4, 2009

Item No. 13
Supporting Document No. 6

Ms. Michelle Mata
California Regional Water Quality Control Board
San Diego Region
9174 Sky Park Court, Suite 100
San Diego, CA 92123-4353

Re: Comments on Draft Tentative Order No. R9-2009-0094 NPDES Permit No. CAG679001

Dear Ms. Mata:

In response to the release of the above tentative order, the City of Del Mar, which operates a small distribution system, wishes to make comments to the Regional Water Quality Control Board (RWQCB), and express concern regarding the impacts of this draft regulation. The professionals who are responsible for operating and maintaining our public water system are in compliance with strict regulations established by the Environmental Protection Agency and the California Department of Public Health. The following are concerns we have with the Draft Tentative Order:

- The Draft Tentative Order eliminates the minimum reporting level of discharges for 500,000 gallons/day or more. This will add thousands of discharges under 500,000 gallons/day that need to be reported and approved, will overwhelm administrative and compliance capability, and will increase the cost of service.
- The Notice of Intent contains open-ended requirements for certification of alternate methods of disposal or re-use. Potable water systems are already required to operate under strict Best Management Practices (BMPs) to limit water loss due to leakage and maintenance discharges. No additional regulation is needed.
- Hydrostatic testing of new oil and gas facilities and reclaimed water systems have been included in this permit. At this point it is not advisable that those non-potable utilities with a higher risk to the environment be included. They should be in a separate permit category.
- Discharge of water into water conveyance systems is no longer exempt under the new proposal. Potable water discharged into a potable water source poses no risk to the public or environment with de-chlorination and with the use of BMPs per the current regulation.



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- The testing requirements are extensive and will add considerable costs to the water system customers for discharge of water acceptable for human consumption and de-chlorinated per current BMP requirements.
- Adoption of the order is scheduled for August 12, 2009, with written comments due on August 5, 2009, and an effective date of September 1, 2009. This does not allow adequate time to resolve issues with respect to the changes from the prior permit and to respond to both verbal and written comments.

The City recommends withdrawal of the Draft Tentative Order or a delay in the adoption of Draft Tentative Order to allow stakeholder advisory group meetings and/or workshops as part of the rule-making process. This will allow time for our water department, the other water agencies, the San Diego County Water Authority and the RWQCB staff to work toward mutually acceptable solutions, prior to permit adoption. If you have any questions, please contact Public Works Director David Scherer by phone at (858) 755-3294 or by email dscherer@delmar.ca.us.

Sincerely,

A handwritten signature in black ink that reads "Crystal Crawford". The signature is written in a cursive, flowing style.

Crystal Crawford, Mayor

cc: Senator Christine Kehoe
Assembly Member Martin Garrick