

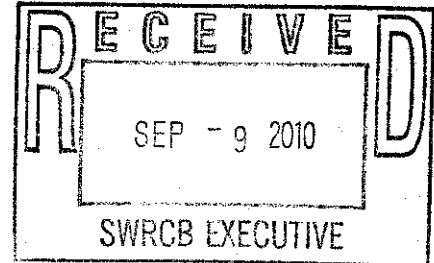


**South Coast
Water District**
*Providing Quality Water and Wastewater
Services to the Coastal Communities*

September 9, 2010

Ms. Jeanine Townsend
Clerk to the Board
State Water Resources Control Board
P.O. Box 100, Sacramento, CA 95812-0100

Subject: California Ocean Plan – Comments to Triennial Review



Honorable Chair and Members of the State Water Board:

South Orange County Wastewater Authority (SOCWA) and South Coast Water District (SCWD), a SOCWA member agency, appreciate the opportunity to submit comments to the upcoming Triennial Review of the Ocean Plan. As ocean dischargers via NPDES permits, both SOCWA and SCWD are interested in changes proposed to the Ocean Plan that are of benefit to the communities served by our agencies.

California water resources are under ever increasing pressure, from balancing in stream uses, population increase, and the effects of drought and water providers are therefore pressed to consider new water supply projects. Water supply shortages and increases in the energy efficiency of membrane technology will continue to drive the development of desalination projects of brackish groundwater, seawater, as well as recycled water over the next decade.

Failure to Respond to the Water Supply Crisis

State law mandates that California put to maximum use recycled water and local sources of water, including degraded and brackish groundwater, as the best way to loosen the grip of statewide dependence on two main sources of water (the State Water Project and the Colorado River). In order to preserve the future of this State and to provide for future generations of Californians we not only need to make prudent spending decisions, but we must act decisively to fix the water supply crisis threatening the vitality of the State and in particular, Southern California.

Balancing the Ocean Plan and Water Supply

The Ocean Plan, which establishes standards for discharges to the ocean as the receiving waters, is now under review by the State Water Resources Control Board. The intent of the Ocean Plan is to set standards sufficient to protect beneficial uses consistent with the Clean Water Act (control of point source discharges). Certainly, no one wants to create a situation where the ocean is impaired, but there must be a balance between the preservation of the ocean environment and reasonable development of on shore water resources that can be employed in a beneficial manner to support the citizens of this State. Unfortunately, individual Regional Water Boards have unreasonably applied Ocean Plan standards in a manner that burdens the development and use of local water resources with extraordinary costs and to such

an extent that State policies are thwarted. This unreasonable application of the Ocean Plan does nothing to add to the protection of the ocean environment but merely exacerbates the problem of dwindling water supplies. The Ocean Plan must set a statewide standard that is consistent throughout the State and in accord with State policy requiring the development and use of local water sources.

Standard for the Discharge of Brine

Local agency water supply projects that produce potable or recycled quality water from brackish and/or degraded groundwater and/or via traditional wastewater recycling will commonly result in a turbid and/or salty residue which is safe for ocean disposal. In most cases, brine from groundwater production is a concentration of the non-potable constituents of the natural water source and in numerous coastal regions can be disposed of through a common ocean outfall as is required to keep the costs of the development of local water resources within the reach of Californians.

The Ocean Plan does not restrict disposal of brine via a combined outfall for ocean disposal, and so long as the combined discharge meets the Ocean Plan Standards this is the preferred option for disposal. Only where the discharge contains inorganic chemical constituents that cannot be controlled at the source and in such quantities that Ocean Plan standards will be violated in the combined discharge should additional treatment of brine (through a POTW) or land disposal be a result of permitting. The Ocean Plan should be clear in preventing situations where individual Regional Boards imposes effluent limitations on individual facilities that produce potable or recycled quality water from brackish and/or degraded groundwater. Rather, where the water producing facilities are discharging brine via a common outfall, which meets the standards in the Ocean Plan at the end of pipe, such facilities should be encouraged as consistent with the standards of the Ocean Plan, the State's Recycled Water Policy and other State law supporting the development of local water sources.

Also, to encourage the development of needed local water supply sources, the State should avoid the creation of a patchwork of regulatory approaches in various State planning documents, including the current review of the California Ocean Plan. Instead, the State should undertake a separate policy initiative to address brine discharges from wastewater recycling, the desalting of brackish groundwater and ocean desalination.

The brine policy for wastewater recycling and brackish groundwater desalting should consider the technological and process differences between these beneficial water uses and ocean desalination, as they provide new resources with less energy use, no taking of marine life associated with water intake, and most significant for a brine policy, less brine produced per gallon treated. State law mandates that California maximum use of recycled water and local sources of water, including degraded and brackish groundwater, as the best way to loosen the grip of statewide dependence on two main sources of water (the State Water Project and the Colorado River). In order to preserve the future of this State and to provide for future generations of Californians we not only need to make prudent spending decisions but we must act decisively and quickly to fix the water supply crisis threatening the vitality of the State and in particular, Southern California.

California's Brine policy on brine discharges should be drafted such that the policy adequately protects the environment while providing agencies with certainty that their wastewater recycling and brackish groundwater treatment facilities can be permitted in a fair and predictable manner.

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Thank you for the opportunity to comment on this important issue, and please feel free to contact us should you like to discuss this matter.

Sincerely,

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