

**Appendix E: San Diego Regional Water Quality
Control Board Letter of Concurrence**

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California Regional Water Quality Control Board, San Diego Region

February 7, 2013

In reply refer to:
244506jllim

Ms. Marsi A. Steirer
Deputy Director, Public Utilities Department
City of San Diego
600 B Street, Suite 600, MS 906
San Diego, CA. 92101

Subject: Indirect Potable Reuse/Augmentation Project at San Vicente Reservoir

Ms. Steirer:

The City of San Diego (City) submitted, for review and comments, a technical report dated August 2012 entitled, *Proposed Regional Water Quality Control Board Compliance Approach, Final Draft* (Report). The City is proposing an Indirect Potable Reuse/Reservoir Augmentation Project that would supplement the approximate 240,000-acre-foot San Vicente Reservoir with up to 15,000 acre-feet per year (AFY) of purified recycled water produced at a full-scale advanced water treatment facility to be sited at the City's North City Water Reclamation Plant (NCWRP) (hereinafter Project). The Report examines key water quality regulations, permitting issues, and other factors that could affect the timeline for issuance of a National Pollutant Discharge Elimination System (NPDES) permit for discharging purified recycled water into San Vicente Reservoir. The City requested that San Diego Water Board coordinate with the U.S. Environmental Protection Agency, Region 9 (USEPA) in reviewing the Report to determine whether the Board can move forward with implementing attainable NPDES permit requirements for the City's Project without the need for (1) revision of the Clean Water Act (CWA) section 303(d) impairment listings for the San Vicente Reservoir, or (2) modification of the *Water Quality Control Plan for the San Diego Basin* (Basin Plan).

The San Diego Water Board, with concurrence from USEPA, strongly supports the efforts of the City to develop the San Vicente Reservoir Augmentation Project and concurs with the City's preferred NPDES permit pathway described in the Report. The San Diego Water Board has prepared the following comments, in consultation with USEPA, regarding the City's preferred NPDES permit pathway for the Project:

1. Modification of the San Diego Water Board's Basin Plan should not be necessary to prescribe an effluent limitation for nitrogen based on a ratio of nitrogen to phosphorus (N:P ratio) that accounts for the specific water quality factors relevant to the expanded San Vicente Reservoir. The Report indicates the City is projecting the advanced water treatment process discharge will comply with the Biostimulatory Substances total phosphorus water quality objective by a significant margin. With respect to nitrogen, the

Biostimulatory Substances water quality objective allows the San Diego Water Board the flexibility to assess N:P ratios on a site-by-site basis and establish project-specific N:P ratios for any given receiving water in lieu of a 10:1 N: P ratio. The San Diego Water Board does not anticipate that a Basin Plan amendment will be necessary to accomplish this. The San Diego Water Board understands the San Vicente Reservoir is currently undergoing an expansion that will raise the height of San Vicente Dam by 117 feet and increase the reservoir storage capacity from 90,000 acre-feet (AF) to over 240,000 AF. The expanded Reservoir will be subject to a different set of natural conditions that can influence water quality in the Reservoir. Moreover, the historic ratios of nitrogen to phosphorus (N:P ratios) in the Reservoir have largely been a function of how the Reservoir is operated and which source of imported water (e.g. State Project Water or Colorado River) is being delivered to the Reservoir. All of these factors will be considered in developing the supporting rationale and assumptions to derive a site-specific N:P ratio and NPDES Permit numerical nitrogen effluent limitation for the Project discharge to the Reservoir.

2. Modification of the CWA section 303(d) list to remove San Vicente Reservoir will not be required to issue a NPDES permit for the Project. San Vicente Reservoir is identified on the 303(d) list as a water quality limited segment where water quality standards for chloride, color, sulfates, total nitrogen as N and pH are not met and a Total Maximum Daily Load (TMDL) is required, but not yet completed. The TMDL for San Vicente Reservoir is currently scheduled for completion in 2019. Applicable NPDES federal regulations set forth at 40 CFR 122.4(i) do require that once a TMDL is in place, a discharger proposing a new facility discharge of a pollutant of concern must a) demonstrate that there are sufficient remaining pollutant load allocations to allow for the discharge and b) meet the conditions of the TMDL. Modifications to the 303(d) listing for San Vicente Reservoir, if warranted and necessary, may be completed after the issuance of the NPDES permit.
3. The Report indicates the quality of purified recycled water is expected by the City to comply with all California Toxic Rule (CTR) water quality standards for toxic organic and inorganic constituents without the need for an assigned mixing zone or dilution credit. In the event additional data indicate a potential need for the consideration of a CTR mixing zone, it will be necessary for the City to conduct and complete studies to assess mixing zone hydraulics, dilution, and concentrations of CTR constituents at the edge of the mixing zone in advance of the NPDES permit issuance. The San Diego Water Board may grant mixing zones to the City in accordance with the provisions established in the *Policy for Implementation of Toxics Standards for Inland Surface Waters, Enclosed Bays, and Estuaries of California*. The allowance for a mixing zone is discretionary and would only apply to a discharge regulated under an NPDES permit.

The heading portion of this letter includes a San Diego Water Board code number noted after "In reply refer to:" In order to assist us in the processing of your correspondence please include this code number in the heading or subject line portion of all correspondence and reports submitted to the San Diego Water Board pertaining to this matter.

If you have any questions regarding this matter please contact David Barker by e-mail at DBarker@waterboards.ca.gov or by phone at (858) 467-2989.

Respectfully,



David Gibson
Executive Officer

DTG:JS:DTB

Tech Staff Info & Use	
Order No.	none
Party (GT/CIWQS) ID	39639
File No.	none
WDID	none
NPDES No.	none
Reg. Measure ID	none
Place ID	244506
Person ID	None
Inspection ID	n/a

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