

Commenter	#	Summary	Response	Results:
James Kreissl, May 19, 2010	1	Support for Adoption of WDR/WRR	Comment noted.	No change
Lombardo Assoc. June 4, 2010	1	Issue a WRR not a WDR	<p>The Regional Board's Waste Discharge Requirements contain standard language designed to quantify and prescribe groundwater discharge and conditions. Water Code section 13260 requires WDRs when any person proposes to discharge waste that could affect the quality of the waters of the state. Irrigation has the potential to affect groundwater through accident, over watering, improper design, or changing subsurface conditions. As a result, Staff considers permit language for both WDRs and WRRs necessary for the tentative permit. No change was made.</p> <p>In 2009, the State Water Resource Control Board provided guidance in the form of the Recycled Water Policy and a General WDR Order 2009-006-DWR for landscape recycling, and required each Regional Board to consider allowing disposal of recycled water into groundwater basins with remaining assimilative capacity while maintaining basin plan objectives and affirming antidegradation requirements. While protection and utilization of subsurface 'waters of the state' is an area of developing policy for each Regional Board, it represents new State and Regional Board efforts to protect groundwater, just as the Federally mandated efforts via Total Maximum Daily Loads to protect impaired surface waters. More specific and careful requirements for both groundwater protection and potential discharge to</p>	No change

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			<p>groundwater are necessary.</p> <p>In the La Paz case, the potentially affected groundwater basin has been demonstrated to contain bacteria, nutrients and salts above beneficial use requirements and to be discharging to similarly impaired surface water. Protections of a groundwater basin where the assimilative capacity is approached should necessarily be more stringent than controls on basins without documented limitations. At a minimum, new projects should demonstrate their protection of existing conditions via engineering design with groundwater monitoring and pre-discharge and post-discharge soil moisture studies.</p>	
	2	Less requirements	Standard language is used and revisions are made where appropriate according to specific topics	No change, except as noted below
	3	Recycled Water Policy precludes requirement	Each Region is specifically charged with developing Salt/Nutrient management plans for each basin including basin-wide and/or project-specific salt and nutrient management plans for Malibu Valley. Protection of existing Basin Plan requirements for salt and nutrient in groundwater remains an objective. The 'facility-specific' salt nutrient management plan requires that the Discharger quantify and resolve, if necessary, salt and nutrient issues from this facility so as to protect Basin Plan objectives at all times.	No change, except as noted below
	4	Future Basin-wide Salt/Nutrient Management plan sufficient	See Lombardo Comment 3	No Change

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	5	Site-specific groundwater monitoring not required	See Lombardo Comment 1. Demonstration of the systems successful operation is necessary	No Change
	6	Compliance for Municipal Use too stringent	Consideration of a WDRWRR is not an appropriate venue for a Basin Plan Amendment to revise a Beneficial Use such as Potential Municipal Use of Mailibu Valley Groundwater	No Change
	7	ROWD sufficiently characterizes irrigation	The Discharger proposes using a fixed and unspecified 'field capacity' to dictate discharge volumes, with vadose zone sensors to document subsurface moisture. The State and Regional Boards may develop documentation suggesting possible methods to quantify when discharge equals evapotranspiration to assist State-wide Dischargers in demonstrating compliance with the Recycled Water Policy. An example of one method is maintaining baseline soil moisture measurements at various depths during irrigation. The tentative WDRWRR described this baseline as a 'dry' vadose zone.	No Change
	8	Change to 132,058 square feet	The varying approaches demonstrate that this is an area of emerging policy and science. As a result, the irrigation management plan, where the Discharger is required to quantify the volumes which can be consumed through evapotranspiration, will not be required to be submitted until 6 months after the adoption of the WDRWRR. Upon its submission, the report must receive the approval of the Executive Officer, who will review the detailed technical issues involved and provide an opportunity for the public to view and comment on the proposed Irrigation Plan.	No Change
			The additional area is for building in Parcel C, which is not included in this WDRWRR, see	

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	9	Parcel C should be included	<p>next comment.</p> <p>The proposed additional flows requested here are for construction of a City Hall or 'municipal use' on Parcel C. The future ownership and development plan for this parcel is not clear. Until the Basin Plan prohibiting Onsite Waste Water Disposal Systems is adopted or rejected, the WDRWRR will be modified to specify that only irrigation of landscaping, and not subsurface disposal to groundwater, can take place on this parcel.</p>	Clarifying change made (WDR 18)
	10	No groundwater impact is expected and measurements are not needed	<p>Ongoing confirmation and testing of the engineering design after construction and during operation are standard to permits.</p> <p>At a minimum, three (one upgradient and two downgradient) groundwater monitoring wells must be included in the Groundwater Monitoring plan for Executive Officer approval officer, as the Discharger expresses concern about the potential for offsite contamination traveling beneath the La Paz site</p>	Change made (WDR D.4.)
	11	Applicant never stated that irrigation would raise water table	The reference is from FUGRO modeling reports prepared by the Discharger and submitted with the ROWD.	No Change
	12	Replace 'pathogens' with 'pathogen indicators' and 'nitrogen' should be replaced by 'salts.'	Agree that 'pathogens' should be replaced, but discharge of both nutrients and salts into the groundwater should be quantified and controlled, so both are included in final language. The Bulletin 118 finding of subsurface conditions is not sufficient to change a beneficial use. (See Lombardo Question 6)	Change made (WDR 9)
	13	Change discharge of off-spec water to sewer no later than Nov. 5, 2015	Agree	Change made (WDR 11)

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	14	Language change	Agree	Change Made (WDR 12)
	15	Delete discussion of potential impacts of discharge	Impacts of system malfunction are appropriate to include in a WDRWRR. The greatest advantage of indoor recycling is the reduction in potable water use. Indoor evaporation also takes place...	No Change
	16	Language change	Agree	Change made (WDR 13)
	17	Language change	Agree	Change made (WDR 13)
	18	Language change	Agree	Change made (WDR 14)
	19	Delete discussion of potential impacts of discharge	Impacts of system malfunction are appropriate to include in a WDRWRR. See Lombardo Response 1.	No Change
	20	Delete results of previous Discharger submission	See Lombardo Response 11	No Change
	21	Insert Recycled Waster Policy language	See Lombardo Response 1	No Change
	22	Insert Recycled Waster Policy language	See Lombardo Response 1	No Change
	23	Water Conservation Language should be removed	Water Conservation language has been used by the Regional Board in three Mailbu permits and is consistent with policy to protect against additional subsurface discharge	No Change
	24	Remove prohibition of garbage disposal use	USEPA 2002 OWTS manual discusses negative impact of garbage disposals on OWTSs	No Change
	25	Language change	Proposed language does not provide further clarification and statement is standard language.	No Change
	26	MRP and WDRWRR monitoring requirements should conform.	Staff has reviewed this question. Where there is not conformity, the MRP takes precedence.	No change made (WDR and MRP conform)

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	27	TSS sampling not required	Reduction in sampling frequency to be considered after demonstration of compliance	No Change
	28	TOC sampling not required	Reduction in sampling frequency to be considered after demonstration of compliance	No Change
	29	Language change	Agree	Change made (WDR C6)
	30	Delete narrative limit	This is standard language for greater clarity.	No Change
	31	Delete groundwater protection language	This standard language is necessary when other limits are improperly applied.	No Change
	32	Irrigation controls in ROWD are sufficient	See Lombardo Response 1	No Change
	33	Irrigation controls in ROWD are sufficient	See Lombardo Response 1	No Change
	34	Site-specific salt/nutrient management not necessary	See Lombardo Response 1	No Change
	35	Chlorine disinfection contact time should not be specified	This standard language is necessary when other limits are improperly applied.	No Change
	36	Tracer studies not necessary	Agree	Change made (WDR E 2)
	37	Language change	Agree	Change made (WDR E 2)
	38	No priority pollutant or Chemicals of Emergent Concern sampling	Annual Priority Pollutant and CEC sampling now required in permits and is standard	Change made (WDR E 4)
	39	Delete narrative limit	This standard language is necessary when other limits are improperly applied.	No Change
	40	Irrigation controls in ROWD are sufficient	See Lombardo Response 1	No Change
	41	Delete narrative limit	This standard language is necessary when other limits are improperly applied.	No Change
	42	Delete narrative limit	This standard language is necessary when other limits are improperly applied.	No Change

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	43	Language change	Agree	Change made (WDR J 1)
	44	Delete narrative limit	This standard language is necessary when other limits are improperly applied.	No Change
	45	Language change	Agree	Change made (WDR J 4)
	46	Language change	Agree, 60 days	Change made (WDR A 1 e)
	47	Language change	Agree, 60 days	Change made (WDR A 2 B)
	48	Language change	Agree, 60 days	Change made (WDR A 3)
	49	Delay monthly reporting	Reports should be submitted per requirements and should indicate if no discharge occurs	No Change
	50	Delete Total Nitrogen	EPA TMDL for Malibu Creek, a receiving water for this project, sets limits in Total Nitrogen	No Change
	51	Language change	Agree. However 'Field Capacity' is too variable for use without monitoring results to confirm design. Resolution of issue will be made by EO approval of irrigation plan.	Limited change made (WDR D 3 and I 3)
State Assemblymen, Tran, Smyth, Adams, Villines, June 8, 2010	1	Support for Adoption of WDRWRR	Comments noted.	No Change
Californian Business Properties Association, June 10, 2010	1	Support for Adoption of WDRWRR	Comments noted.	No Change
Heal the Bay, June 11, 2010	1	WDR conflict with Prohibition	WDRWRRs are required for discharge to land and a WDR is necessary only because there is a potential of discharge to groundwater. The WDR does not conflict with the Prohibition. Regardless of the La Paz facility, the Prohibition will require the development of offsite disposal options. The Regional Board acknowledged the limitations of disposal options in the Malibu Civic	Change made (WDR I 30)

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			<p>Center at several hearings (Malibu MOU, November 2008; Malibu Lumber, December 2008; and Basin Plan for the Malibu Prohibition, November 2009), but did not preclude the development of projects which are protective of existing groundwater conditions.</p> <p>The City of Malibu's Technical Advisory Meetings in 2008, 2009 and 2010, and their consultant reports in 1996 (Marshall) and in 2004 (Questa) all found that various designs and locations of centralized waste water treatment systems may require disposal options beyond those available in the La Paz/Civic Center area. The City of Malibu agrees that disposal options in the Civic Center are limited. In 2008 during the Malibu MOU hearing, the City even proposed disposing of all Civic Center into the subsurface at La Paz through Parcel C.</p> <p>The operation of the La Paz facility, according to the WDRWRR, should retain any remaining subsurface capacity for disposal of Civic Center waste through a centralized treatment plant, while providing additional treatment and irrigation disposal capacity for existing facilities which can store their effluent.</p> <p>Staff made a modification to the WDRWRR specifying that the Executive Officer may choose to re-open the WDRWRR for a material change requiring La Paz to accept specified Civic Center effluent when the irrigation capacity at La Paz is not met and potable water would otherwise be applied. Executive Officer may</p>	

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Cox Castle Nicholson June 11, 2010	2	Clarify Discharger Expectations	also recommend termination if impacts to groundwater are found to occur. The water which does not meet permit specifications and/or cannot be stored or use for irrigation will be trucked off-site, a practice inconsistent with disposal on-site, until a sewer connection is available. The Executive Officer will receive quarterly reports of off-site trucking and will review these reports and make a determination if the volume removed is a material change requiring a re-opening of the permit.	Change made WDR I 31 and B 4)
	3	Impaired waterbodies impacted by discharge	Further, language will be added to the WDR/WRR to clarify that notification of changes in the waste stream must be reported.	No Change
	4	Impacts City's wastewater plans	See Heal the Bay Response 1	No Change
	5	More protective Nutrient and Bacteria limits	See Lombardo Response 1. More protective limits may be set based on requirements established for Malibu Basin	No Change
	6	Priority Pollutants Clarification	Agree, Priority Pollutants should be measured once per year	Change made (WDR E 4)
	1	Issue a WRR not a WDR	See Lombardo Response 1	No Change
Santa Monica Bay Keeper, June 14, 2010	2	No facility-specific Salt Management Plan	See Lombardo Response 3	No Change
	3	Prohibition cannot be imposed	Prohibition imposition is used as policy directive only in this matter.	No Change
	1	More Storage Required	See Heal the Bay Responses 1 and 2	No Change
Santa Monica Bay Keeper, June 14, 2010	2	Must Meet Basin Plan Objectives for surface water	See Heal the Bay Response 5	No Change

Commenter	#	Summary	Response	Results:
	3	Irrigation Provisions should be strengthened	See Lombardo Response 7	
	4	No discharge before salt/nutrient management plan	See Lombardo Response 1	No Change
	5	Improve monitoring and reporting program	Agree, See Lombardo Response 26	
Merit Shop Roundtable, June 14, 2010	1	Support for Adoption of WDRWRR	Comments noted.	No Change
Citizens for a Golden State, June 14, 2010	1	Support for Adoption of WDRWRR	Comments noted.	No Change
State Senator, Jenny Oropeza, 28 th District, June 14, 2010	1	Support for Adoption of WDRWRR	Comments noted.	No Change
Lombardo and Associates, June 23, 2010	1	Description of Facility and Treatment Process - No. 12 "If all of the discharge..." Change to "If all the wastewater..."	Agree	Change made
	2	Description of Facility and Treatment Process - No. 12 "...further reduce the discharge..." Change to "...eliminate the wastewater..."	Agree	Change made

Commenter	#	Summary	Response	Results:
	3	<p>Applicable Plans, Policies and Regulations - No. 28</p> <p>"A facility-specific salt/nutrient management plan shall be submitted according to the requirements of the Recycled Water Policy, before February 3, 2011."</p> <p>Requirement date is different from other references to in Order</p>	Agree	Change made
	4	<p>B. Influent Requirements - No. 3</p> <p>"... into the collection systems that flow into the treatment unit."</p> <p>Garbage grinders are routinely used. Septic tanks and grease traps need to be properly sized for garbage grinder use. Garbage grinders should not be prohibited</p>	Agree	Change made: garbage disposal prohibition deleted.
	5	C. Effluent Requirements - No. 6	Agree	Change made

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		<p>"The turbidity of the effluent water prior to disinfection shall not exceed an average of 2 NTU within a 24 hour period or 5 NUT more than 5 percent of the time within a 24-hour period and 10 at NTU at any time."</p> <p>Change NUT to NTU</p>		
	6	<p>Allowable Uses of Recycled Water - No. 1</p> <p>"The disinfected tertiary treated recycled water may be used for surface irrigation in the following"</p> <p>Add "as well as landscape subsurface irrigation."</p>	<p>This change would cause the WDRWRR to violate the prohibition because it allows subsurface discharge. Staff added the words "as well as landscape surface irrigation."</p> <p>Background: "subsurface" irrigation is incorrectly used here because CADPH provides oversight only of surface disposal (spray irrigation) and groundwater injection. The use of recycled water below the surface is a leachfield and not a recycled water use. Chi Diep and others at the CADPH discussed this with us at length. CADPH said that they allowed a site in Malibu to dispose of water at 6 inches of depth on a hillside with water that met their recycled water requirements to protect human health, but didn't have any water quality discharge requirements. After this, many dischargers wanted "subsurface irrigation" to avoid meeting our WDR water quality objectives. CADPH doesn't allow this</p>	Change made

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	7	<p>Provisions - No. 1</p> <p>"A facility-specific salt management plan shall be submitted ... no later than February 3, 2016."</p> <p>Should it be 2011 according to Applicable Plans, Policies and Regulations - No. 28 above?</p>	<p>Agree</p> <p>Further, by adding "subsurface irrigation," we revert to the original ROWD for a leachfield which violates the prohibition. Their new ROWD stated that wastewater would not be allowed to enter the subsurface.</p>	Change made
	8	<p>Provisions - No. 3</p> <p>"The irrigation O&M manual shall be submitted for approval by the Executive Office before discharge and within 6 months of adoption."</p> <p>Should state adoption of the Order.</p>	<p>Agree</p>	Change made

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	9	<p>Monitoring and Reporting Program (M&RP) Cl. No. XXXX</p> <p>II. Water Quality Monitoring Requirements</p> <p>C. Effluent Monitoring 4. Program</p> <p>Total Nitrogen Minimum frequency of analysis daily</p> <p>Should be changed to</p> <p>Total Nitrogen Minimum frequency of analysis weekly</p>	<p>The nitrogen species monitoring measures quality of the treatment system operation. The daily analysis should be maintained for the start up period while system operation is under refinement. After startup, a lower analysis frequency is appropriate.</p>	<p>Change made</p>