Response to Public Comments
On the Tentative Decision Document
for Clean Water Act Section 301(h) Waiver
for Discharges from the E.W. Blom Point Loma Wastewater Treatment Plant
Owned and Operated by the City of San Diego
NPDES Permit No. CA0107409

Public notice of United States Environmental Protection Agency, Region 9's (USEPA's) Tentative Decision Document (TDD) was published on USEPA's website on March 1, 2024. Two entities submitted written comments on the TDD within the public comment period that closed on April 2, 2024:

San Diego Coastkeeper
The City of San Diego

The written comments that were submitted by San Diego Coastkeeper and the City of San Diego were reviewed by USEPA and considered in the formulation of the final determinations. Responses to the comments and revisions follow below. Revisions are shown in *italics* with ~~strikethrough~~ for deletions and <u>underline</u> for additions.

Comment: Coastkeeper supports the adoption of the Tentative Order/Permit, which incorporates the Tentative Decision Document to grant a variance from secondary treatment requirements pursuant to the Clean Water Act sections 301(h) and (j)(5).

Response: USEPA acknowledges and appreciates the comment.

Comment: The City of San Diego has provided an update to Figure A-20 in the TDD to include additional years of Benthic Response Index data collected under Order No. R9-2017-0007.

Response: USEPA incorporated the updated figure (i.e., Figure A-20 below) submitted by the commenter (see TDD, pages 97 and 117) and revised related language in Part C.3.b - Benthic Response Index (see TDD, page 62-63), as follows:

"Figure A-20 (adapted from Application Figure C1-32) provides a trend analysis of BRI values at three sites (Stations B-9, E-26 and E-14) between 1991 and ~~2020~~<u>2023</u>. Overall, BRI values have remained below 25 at all sites except near-ZID station E-14. The highest BRI occurred at station E-14 nearest the outfall, where values have become elevated relative to sites B-9 and E-26 since 1994. While BRI values at station E-14 have steadily increased over time, most values have still been less than 34, which represent "minor deviation from reference condition" that is not indicative of degraded benthic habitats. The few higher BRI values at station E-14 between 35 and 37.4 reported over the past three surveys (winter 2017-winter 2018). Although these data suggest an outfall related pattern, changes in benthic communities reflected in the elevated BRI values have been a highly localized, temporary in nature, and along with other community metrics discussed in this section, are not considered indicative of degraded benthic habitats. <u>In addition, most</u>

recent data at station E-14 showed that BRI values have been decreased since 2020 and down back to below 25."

Figure A-20. *(from Application figure C1-32) BRI values at near-ZID station E14, farfield station E26, and reference station B9 along PLOO discharge depth contour from 1991 to ~~2020~~2023.*