

**Response to Comments on the Amendment to the Water Quality Control Plan for the San Francisco Bay Basin
that Refines the Beneficial Uses for Hayward Marsh and Clarifies the Bacterial Water Quality Objectives that Apply to it
Comment due date: October 28, 2011**

No.	Commenter
1.	Union Sanitary District
2.	U.S. EPA Region 9

No.	Author	Comment	Response
1.1	Union Sanitary District	The Hayward Marsh is a unique and carefully managed wetland system that provides habitat for thousands of birds and is an established model for wetland restoration through reclamation of treated effluent. The amendment, which would remove the water contact recreation beneficial use and add the protection of rare and endangered species designation, is consistent with the Marsh's design and purpose and supports appropriate regulation and the continued success of this important project.	We note and appreciate the Union Sanitary District's support of the proposed Basin Plan amendment.
2.1	U.S. EPA Region 9	We are pleased to express our continued support for the amendment, including the edits and additions made as a result of comments received by the Regional Board during their recent public comment period. We also support the edits and additions made to the Staff Report for the Refinement of Beneficial Uses of Hayward Marsh.	We note and appreciate the U.S. Environmental Protection Agency's support of the proposed Basin Plan amendment.

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2.2		Hayward Marsh is part of a marsh system created with secondary effluent permitted under a NPDES permit. As noted in our comment letter to the Regional Board, we expect the treated wastewater entering the marsh system to continue to meet its current bacteriological limits, to assure that water quality standards, including antidegradation requirements, are met and to limit the possibility of a water quality problem associated with human pathogens. We are pleased to see that the Regional Board is in agreement.	As noted by U.S. EPA, we responded to these concerns by stating our agreement that the quality of the treated wastewater discharged to Hayward Marsh will be maintained with respect to bacteria levels. The reissued NPDES permit for discharge of treated wastewater to Hayward Marsh that was adopted by the Water Board at its September 14, 2011, hearing retains the status quo with respect to bacteriological limits.