



Santa Margarita Water District

April 7, 2016

South Coast Water District
Attn: Mr. Andy Brunhart, Ph.D., PE
General Manager
31592 West Street
Laguna Beach, CA 92651

Subject: Response to Doheny Ocean Desalination Project Notice of Preparation of Draft
 Environmental Impact Report

Dear Dr. Brunhart:

Thank you for the opportunity to provide comments on the scope of the proposed Environmental Impact Report (EIR) for the Doheny Ocean Desalination Project. We appreciate the scale and scope of the work, studies and efforts completed to date by South Coast Water District (SCWD) and Municipal Water District of Orange County (MWDOC). The District offers the following comments on the scope and content of environmental issues that SCWD should consider addressing in the EIR preparation:

Brine Discharge: Brine from ocean desalination plant is proposed to be discharged through the San Juan Ocean Outfall (SJOO) operated by South Orange County Wastewater Authority (SOCWA). In its presentation at the scoping meeting, SCWD noted that brine would be diluted by mixing with secondary effluent generated in the upstream wastewater treatment plants. The South County Region is embarking on a regional recycled water master planning effort with the goal of expanding the use of recycled water including the potential of groundwater recharge. In addition, there is draft legislation being considered by the State of California that, if enacted, will require essentially 100% recycling of wastewater and elimination of wastewater flows. The environmental review and subsequent permitting should address, but should not be limited to, the following:

- An alternative of 100% brine disposal without mixing with secondary effluent including impacts to the existing outfall and discharge diffusers;
- The cumulative impacts of existing brine disposal from the City of San Juan Capistrano and SCWD Groundwater Desalination Plants; and
- The cumulative impacts of proposed future brine disposal from the proposed San Juan Basin Optimization Plan.

Outfall Capacity: SOCWA holds the SJOO in trust for its member agencies based on capacity ownership. The permitted uses and capacities should be reviewed along with the available ownership to ensure adequate capacity is owned by SCWD to discharge the brine along with the cumulative impacts for secondary effluent disposal. The review should include both the hydraulic

capacity as well as the constituent loads. While the goal may be to maximize the capacity to produce recycled water, discharge capacity in the outfall may be reserved for effluent disposal if there is an upset in the treatment system or failure in the distribution system.

Groundwater Impacts: The San Juan Basin Authority completed its *Groundwater and Desalination Optimization Program Foundational Actions Fund Program Final Report*. The report included analysis of the groundwater basin and the Santa Margarita Water District is interested in pursuing the recommended project.

The *SCWD Foundational Actions Funding Program Advancement of Slant Well Technology and Groundwater Flow and Solute Transport Modeling for the Doheny Ocean Desalination Project Task 4 Modeling of Slant Well Feed Water Supply, Impacts and Mitigation Approaches*, prepared by GeoScience Support Services Inc., indicates that the proposed project may provide for development of a seawater intrusion barrier under certain conditions. The report also indicates significant groundwater drawdown from the San Juan Basin under certain conditions. The environmental review and subsequent permitting should address consistent with the CEQA Guidelines that requiring that indirect or secondary effects that are reasonably foreseeable and caused by a project but occur at a different time or place be addressed:

- Identification of the groundwater used by the project and if it is covered under the existing water rights and water rights requirements. Verification that the project is consistent with the existing water rights and permit conditions must be addressed;
- Identification of cumulative impacts to the groundwater basin including possible impacts to existing wells and groundwater levels upstream of the Ocean Desalination project including, but not limited to, the proposed San Juan Basin Authority project area in the San Juan Basin Optimization Program;
- Review of all groundwater modeling assumptions including development of a variable boundary flow model;
- The updated and assumed storm water recharge to reflect storms instead of monthly averages and groundwater production to be consistent with existing State Water Resources Control Board water rights permit requirements and conditions; and
- Consideration of potential impacts to the project from upstream recharge efforts under the San Juan Basin Optimization Program

Programmatic EIR:

A programmatic EIR may be prepared on a series of actions that can be characterized as one large project and are related geographically, as logical parts in all contemplated actions including the issuance of rules, regulations or plans or as individual activities carried out under the same authorizing statutory or regulatory authority having generally similar environmental effects which can be mitigated in similar ways.

A programmatic EIR can provide for a more exhaustive consideration of impacts and alternatives than would be practical in an EIR on an individual action, can ensure consideration of cumulative impacts that might be slighted in a case-by-case analysis, avoid duplicative reconsideration of

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basic policy considerations, allow the lead agency to consider broad policy alternatives and program wide mitigation measures and allow a reduction in paperwork and cost to the public.

In recognition that the Doheny Desalination Project and the San Juan Basin Optimization project have identified similar impacts and potential mitigations that may overlap, the Santa Margarita Water District recommends that SCWD consider working with the SJBA or its individual members in development of a Programmatic EIR that considers all of the proposed projects currently contemplated within the watershed.

Sincerely,

SANTA MARGARITA WATER DISTRICT

Daniel R. Ferons
General Manager