

CALIFORNIA COASTAL COMMISSION

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ENERGY, OCEAN RESOURCES, AND FEDERAL CONSISTENCY DIVISION REPORT
FOR THE
FEBRUARY 9, 2011 MEETING OF THE CALIFORNIA COASTAL COMMISSION

TO: Commissioners and Interested Parties
FROM: Alison Dettmer, Deputy Director
Energy, Ocean Resources & Federal Consistency

IMMATERIAL AMENDMENT		
APPLICANT	PROJECT	LOCATION
E-09-004-A3 Municipal Water District of Orange County (MWDOC)	Install several tanks, filters, pipes, and associated equipment to conduct "Iron and Manganese Pretreatment Study" at existing pilot test desalination facility at Doheny State Beach.	Doheny State Beach Orange County



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**NOTICE OF PROPOSED IMMATERIAL PERMIT AMENDMENT****E-09-004-A3**

TO: All Interested Parties

FROM: Peter M. Douglas, Executive Director

DATE: January 26, 2011

SUBJECT: Application to amend coastal development permit No. E-09-004 granted to the Municipal Water District of Orange County (MWDOC) for construction and operation of a desalination test well at Doheny State Beach, Orange County.

The Executive Director has determined that the requested project change described herein may be approved as an immaterial amendment to the above-referenced coastal development permit (CDP). The amendment would allow MWDOC to install and operate additional test equipment and associated structures at its pilot desalination facility at Doheny State Beach in the City of Dana Point.

Background and Project Description: On June 11, 2009, the Commission approved CDP No. E-09-004 allowing MWDOC to construct and operate a test slant beach well and pilot desalination facility adjacent to San Juan Creek at Doheny State Beach. The project included installing a slant beach well that produces water collected from under the seafloor, a mobile testing lab, and associated piping, tanks, and similar structures. The project involves pump testing the well to determine likely production capacity and to identify any response of nearby surface and subsurface waters to the pumping, as well as various water treatment tests. The project uses up to about 2100 gallons per minute (gpm), which, after testing, is discharged to a jetty adjacent to San Juan Creek subject to conditions of the project's NPDES permit.

The Commission later approved two immaterial amendments to the permit. In July 2010, the Commission allowed MWDOC to conduct a dye study in the waters and substrate of San Juan Creek, and in September 2010, the Commission allowed MWDOC to conduct core sampling offshore of the beach to better characterize subsurface conditions.

Requested Amendment: As part of its ongoing pilot testing, MWDOC has identified the need to remove naturally-occurring low levels of iron and manganese found in water pumped from the beach well. MWDOC plans to test several treatment methods using different types of filters – e.g., cartridges, sand filters, membranes, etc. To conduct its “Iron and Manganese Pretreatment Study”, MWDOC would install several tanks, filters, pipes, and associated equipment in an approximately 1200 square-foot area next to the existing pilot facility. The area would be fenced and prepared with gravel. The study would use about 10-20 gpm of the existing 2100 gpm flows pumped from the beach well. MWDOC plans to conduct these tests from about March to December 2011. The proposed work will also be subject to conditions of the project's NPDES permit from the Regional Water Quality Control Board and will require a modification to the Right-of-Entry permit issued by State Parks.

Findings

The proposed amendment has been deemed “immaterial” for the following reasons:

- **Water Quality and Marine Biological Resources:** Because the existing project withdraws water from below the seafloor, it causes no measurable adverse effects to marine life. The proposed project would not increase the existing intake pump flows of up to 2100 gpm. The study would result in only a negligible change to the current discharge and would remain within the discharge limits established in the project’s NPDES permit.
- **Public Access and Recreation:** The proposed project is expected to result in, at most, only *de minimus* public access effects. The new equipment and fencing would be located on a grassy area adjacent to a lesser used part of the beach parking lot and would not take up any parking spaces. Noise produced by the new equipment – primarily two 10 gpm pumps – is expected to be only slightly above existing ambient levels at the site.

Immaterial Permit Amendment

Pursuant to the California Code of Regulations—Title 14, Division 5.5, Volume 19, section 13166(b)—the Executive Director has determined this amendment to be IMMATERIAL.

Pursuant to section 13166(b)(1), if no written objection to this notice of immaterial amendment is received at the Commission office within ten (10) working days of mailing said notice, the determination of immateriality shall be conclusive and the amendment shall be approved.

Pursuant to section 13166(b)(2), if a written objection to this notice of an immaterial amendment is received within ten (10) working days of mailing notice, and the executive director determines that the objection does not raise an issue of conformity with the Coastal Act or certified local coastal program if applicable, the immaterial amendment shall not be effective until the amendment and objection are reported to the Commission at its next regularly scheduled meeting. If any three (3) Commissioners object to the executive director’s designation of immateriality, the amendment application shall be referred to the Commission for action as set forth in section 13166(c). Otherwise, the immaterial amendment shall become effective.

Pursuant to section 13166(b)(3), if a written objection to this notice of an immaterial amendment is received within ten (10) working days of mailing notice, and the executive director determines that the objection does raise an issue of conformity with the Coastal Act or a certified local coastal program if applicable, the immaterial amendment application shall be referred to the Commission for action as set forth in section 13166(c).

If you wish to register an objection to this notice, please send the objection in writing to Tom Luster at the above address. If you have any questions, you may contact him at (415) 904-5248 or via email at tluster@coastal.ca.gov.