



3152 Shad Court
Simi Valley, CA 93063
December 17, 2008

State Water Resources Control Board
Ms. Jeanine Townsend, Clerk to the Board
1001 I Street
Sacramento, CA 95814

Re: "Comment Letter - Anti-degradation Policy (Resolution
68-16)".

Dear Members of the Board:

I am writing this follow-up letter on the aforementioned subject after reading the December 1, 2008 California Water Quality Monitoring Council's "Maximizing the Efficiency and Effectiveness of Water Quality Data Collection and Dissemination and Ensuring that Collected Data are Maintained and Available for Use by Decision-makers and the Public" Recommendations to the Secretaries of the Cal/EPA and the Resources Agency because the report has significant implications to the public participation process; to State employees in the Cal/EPA and the Resources Agency, and quite possibly other State departments and agencies; and the Anti-degradation Policy (the heart and soul of water quality monitoring).

Members of the Board, I am opposed to empowering the Council to oversee this new process. I am all for simplifying and streamlining processes, but not when huge changes jeopardize the public participation process.

Members of the Board, I am opposed to having State employees directed to support the Monitoring Council's efforts. Participation by State employees in this process must be voluntary, not mandatory. The rest of my concerns are expressed in the enclosed copy of my handwritten notes typed on December 17, 2008 (6 pages).

Sincerely,

A handwritten signature in cursive script that reads "Mrs. Teresa Jordan".

Mrs. Teresa Jordan

CALIFORNIA WATER QUALITY MONITORING COUNCIL

DECEMBER 1, 2008 RECOMMENDATIONS REPORT

Teresa Jordan Typed Notes

December 17, 2008

- Page 4, bottom, second bullet point, "Direct...to support efforts of Monitoring Council and theme-based workgroups". No.
- First bullet point "empower" to guide its development. No. This must be agendaized for a public hearing.
- Didn't find November 26, 2007 MOU (Memorandum of Understanding) between the Cal/EPA and the Resources Agency.
- No sunset for Monitoring Council (meeting Minutes).
- Statement (report or letter) that Monitoring Council's meetings are open to the public, yet the Agenda Summary does not contain a Public Comment section.
- Since the goal of the Monitoring Council is to standardize Website information, its own Website is poorly configured.
- Page 4, number 7, "training", the Public Participation Manual is non-existing.
- The way that the report reads sounds like the public is being manipulated to "ensure public support" instead of ensuring support of the public (Page 13?).
- There is a disconnect in the report since the entire Wetland Monitoring Workgroup's Website example is not included. Thus, the report is not a comprehensive document.
- The reader has to cross-reference information in the report with other documents, and governing bodies in order to get a complete picture.

- What are doing is "Lessening monitoring" (Monitoring Council Minutes).
- What is the Monitoring Council's definition of "federated" (Page 4)?
- This report was not found in the Resources Agency's Website.
- Information on the Water Data Institute should have been provided, or link information (Page 12) for its "Vision" to be reviewed.
- The call letters CIWQS should have been spelled, or link information provided.
- Confusing, not clear if the USEPA's Performance Measures (Page 11) are the Council's 6 elements(?)
- The State Water Board's Wetlands Policy public hearings' reports and resolutions do not mention the Monitoring Council.
- How is the Strategic Plan impacted by the Monitoring Council's recommendations and vision, since the group is just a fraction of a larger vision?
- Page 15, Strategic Plan low impact development centers (LID), how Monitoring Council recommendations and vision impact (Reduces Stormwater Pollution Action 1.2.2)?
- Page 15, Strategic Plan Action 1.2.3, how do the Monitoring Council's recommendations, and requested additional authority impact the State Water Resources Control Board's Stormwater Advisory Task Force?
- Page 19, Strategic Plan Action 2.1.1, how do the Monitoring Council's recommendations, and requested additional authority impact the Interagency Task Force and Public Advisory Committee (AB 599, 2001)-- information groundwater?
- Page 20, Action 2.3.2 coordinate with DTSC (SSFL TCE and Perchlorate water contamination plumes)!!!

- Page 21, Strategic Plan Recycled Water Task Force.
- Page 22, environmental stewardship.
- Page 28, Strategic Plan Action 4.1.1 MOU for DWR/
SWRCB incorporate California Water Quality Plan into
California Water Plan, and Objective 4.1 Comprehensive

- Page 28, Objective 4.2 and Action 4.2.1 stakeholder
group.
- Page 29, top of page, convene group local interests.
- Page 29, Action 4.2.2, stakeholder group.
- Page 29, Action 4.2.3 stakeholder group.
- Page 29, Objective 4.3 third party.
- Page 29, Action 4.3.1 stakeholders.
- Page 30, Transparency "Data", "greater public interest
and involvement".
- Page 30, why this issue "away from core programs"(all
paragraph information).
- Page 30, second paragraph, expectation that the Water
Board will collaborate(all paragraph information).
- Page 31, GAMA.
- Page 31, SWAMP.
- Page 31, Long Range of SB 1070(Kehoe) is surface
water, not groundwater.
- Page 32 Monitoring Council, Act, and CIWOWS, "the
Water Boards...performance".
- June 2001 Jordan letter on the 2007 State and Regional
Water Boards' Strategic Plan Update, referred to the
Public Participation Manual February 28, 2007 Website
posting "Coming Soon".

- June 14, 2007, Jordan letter on the 2007 Strategic Plan Update Outreach Workbook commenting on the need for a Public Bill of Rights, and Public Participation Process definitions.
- I'm all for simplifying and streamlining processes and Websites because inconsistencies serve to confuse and logging in and out from a Website to various other Websites is time consuming. But, there is a danger in moving from an all technical tools process to the type of portal process proposed by the Monitoring Council. Example: DTSC's Santa Susana Field Laboratory Site. Public comments are not posted. Readers and Agency staff can't locate information readily. Public notices are not posted in conjunction with mailings (lag time about 4-5 days), information posted is not accessible, or is mismatched, posted information does not remain on the Website after comment period expires, there is no archives search provision, etceteras.
- Government agencies websites inconsistencies can be aggravating and infuriating. Example: postings on the Los Angeles Regional Water Quality Control Board's (LARWQCB) Website does not always include submitted comments on public noticed issues. Sometimes only responses to comments are only posted. Responses to comments on the Basin Plan Amendment for the San Buenaventura NPDES CA005361(copper) and the Santa Clara River Chloride TMDL BPA were posted. After a letter from me, staff posted the submitted comments on the San Buenaventura NPDES CA005361(copper), but not on the Santa Clara River Chloride Basin Plan Amendment even though a member of Congress submitted comments. This is a half hearted attempt at being committed to the public participation process.
- If the State Water Resources Control Board grants the Monitoring Council's empowerment request, is the Agency relinquishing duties and responsibilities?
- Will the Monitoring Council's Workgroups meetings be posted on the SWRCB's Website Announcements section?
- Will the Monitoring Council's Workgroups meetings agendas be posted on the SWRCB's Website?

- What is the mix of State staff, and stakeholders in the workgroups--50% - 50%, 40% - 60%, 25% - 75%?
- How many workgroups are there in total--there is a budget crunch, about a third of the State workforce is reading for retirement, etceteras?
- What are the names of the workgroups?
- Will Cal/EPA and Resources Agency staff positions be lost, or replaced by stakeholders?
- Who are the stakeholders?
- State agencies' employees are being forced to go along with what the stakeholders and the Council dictate if the Monitoring Council's empower request is granted.
- Already with this year's State Water Resources Control Board's, and Regional Water Boards Websites changes a lot of data has been lost. Will additional existing data on State and Regional Water Boards Website be lost with the information portal recommended by the Monitoring Council, or will it be retained?
- How will the existing Cal/EPA and Resources Agency Website be impacted?
- Who monitors the Monitoring Council?
- Page 13, Portal example, the "This web portal..." statement's ending "a variety of perspectives that may be viewed across space and time" is not readily understood by every member of the general public. Words like this is a big reason why members of the general public do not know whether or not it is safe to swim in our waters.
- Page 14, why was Ventura County chosen for the "Is It Safe to Swim In Our Waters?" figure?
- Page 15, 2.1.5, first paragraph, last sentence.
- Page 15, second paragraph, all.

- Page 15, third paragraph, what does this change do to existing links between state agencies, the state and other governments, etceteras?
- Page 15, third paragraph, gives data priority the Federal government, then to the State. No. First the State, then the federal government, etceteras.
- The general public must be surveyed to gauge support for centralized access, or individual systems.
- Page 16, 2.2, first paragraph, this is crucial to why the Recommendations outweighed by common sense.
- Page 16, bullet points, which are the themes and the sub-themes?
- The Monitoring Council's user-friendly goal is meant instead to counter public opinion, so its biased.
- Page 16, stakeholders.
- Page 17, No. 3.
- Definition of ambient _____ is not set in stone.
- Page 17, number 5, which are the 6 performance measures?
- Page 17, 2.3, second bullet point.
- Page 17, what is meant by "timely"?
- Page 18, 2.3.1, second sentence, fist paragraph.
- Page 18, last paragraph.
- Appendix 2, Page A2, number 9, what?
- Appendix 2, Page A3, DTSC, and "without assess...., and last sentence.