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California Regional Water Quality Control Board Central Valley Region

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9 February 2007

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EAST SAN JOAQUIN WATER QUALITY COALITION – 30 JUNE 2006 SEMI-ANNUAL MONITORING REPORT

Central Valley Regional Water Quality Control Board (Board) staff has reviewed the East San Joaquin Water Quality Coalition's (Coalition) 30 June 2006 *Semi-Annual Monitoring Report* (SAMR). On 10 and 18 January 2007, Board staff discussed the comments on the SAMR with Coalition representatives on the telephone.

The attached memorandum incorporates both staff's comments on the SAMR and the Coalition's responses provided during the two teleconferences. Since so much time has passed, Board staff and Coalition representatives agreed that the Coalition would make the necessary changes discussed in future SAMRs, beginning with the SAMR due 30 June 2007. An amended or revised June 2006 SAMR will not be necessary.

We appreciate the Coalition's efforts to respond to comments and make improvements to the SAMRs. If you have any questions, please contact Dana Kulesza at (916) 464-4847 or by email at dkulesza@waterboards.ca.gov.

WENDY L. COHEN, Chief
Policy & Planning Unit
Irrigated Lands Conditional Waiver Program

cc: Mr. Wayne Zipser, Stanislaus County Farm Bureau, Modesto
Dr. Michael Johnson, University of California, Davis



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TO: Wendy L. Cohen, Chief
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Irrigated Lands Conditional
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FROM: Dana Kulesza
Environmental Scientist
Irrigated Lands Conditional
Waiver Program

DATE: 6 February 2007

SIGNATURE: _____

SUBJECT: COMMENTS AND RESPONSES ON JUNE 2006 SEMI-ANNUAL MONITORING REPORT, EAST SAN JOAQUIN WATER QUALITY COALITION

On 10 January 2007, Central Valley Regional Water Quality Control Board (Board) staff held a phone conference with the Technical Program Manager (Mike Johnson) of the East San Joaquin Water Quality Coalition (Coalition) and two of his staff to discuss Board staff comments on the Coalition's 30 June 2006 *Semi-Annual Monitoring Report* (SAMR). On 18 January, Board staff held a phone conference with the Coalition's leader, Parry Klassen. These dialogues were intended to assist the Coalition in complying with Monitoring and Reporting Program (MRP) Order No. R5-2005-0833.

This memorandum discusses Board staff comments on the Coalition's SAMR and the agreements reached during the phone conferences. Because so much time has passed and another SAMR was due before these comments could be discussed with the Coalition, Board staff and Coalition representatives agreed that changes needed would be made in future SAMRs (beginning with the SAMR due 30 June 2007) and an amended June 2006 SAMR would not be necessary. The Coalition's responses are shown in italics beneath each comment:

1. Executive Summary, page 8: The third sentence of the third paragraph states, "The amount of chlorpyrifos in the water was barely over the level of exceedance in all three cases." This sentence is also on page 225. However, three of the five chlorpyrifos exceedances were almost double the exceedance criterion of 0.015 ug/L. Page 225 also states that there were three chlorpyrifos exceedances, when there were actually five.

Comment noted. At the time that this SAMR was prepared, the Coalition may have been using the wrong water quality objective for chlorpyrifos, which caused them to count only three exceedances. In addition, Coalition staff has since removed subjective statements such as "barely over the level" when preparing the December 2006 SAMR.

2. Executive Summary, page 8: The fourth paragraph states, "due to a miscommunication with the laboratory, a TIE was not initiated." This was for a sample with less than 1%

growth compared to the control. The lab report states, "Per client's instructions, no TIE was initiated" (PER report for samples collected 2/28/06 and 3/1/06). The Coalition needs to describe what this miscommunication was, how it occurred, and what steps have been taken to assure it will not happen in the future.

Coalition staff explained that if they remember correctly, the original toxicity test failed Test Acceptability Criteria (TAC), but was toxic. The lab called the Coalition to find out if it wanted the lab to start a TIE, but since the test did not pass TAC, the Coalition instructed the lab not to start a TIE at this time but to re-test the sample. The re-test also showed significant toxicity, and the Coalition would have instructed the lab to immediately start the TIE, but the lab did not notify the Coalition of the re-test results. Thus, the lab did not receive instructions to start the TIE. Since this time, the Coalition has instructed the lab to automatically start TIEs whenever there is less than 50% survival or growth in the sample compared to the control, without calling the Coalition each time.

3. The maps on pages 12-21 are too small to read. This comment also was in staff's review of the December 2005 SAMR, and in review letters on the revised MRP Plans. The maps in the 8 December 2006 version of the revised MRP Plan were much improved, and this format will work for future maps in document submittals.

The Coalition will use the map format used in the 8 December 2006 revised MRP Plan from now on. The December 2006 SAMR will refer to the maps submitted in the 8 December 2006 revised MRP Plan.

4. The Coalition lists the objectives of the monitoring program on page 29, but does not discuss whether each of the objectives was met. This was also a comment in the December 2005 SAMR review letter.

Comment noted. The Coalition will complete this assessment in future SAMRs.

5. In the data tables, the Coalition needs to add gridlines so one can follow across easily.

Comment noted. Staff spoke with Melissa Turner about this through email and on the phone on 12/27/06. She said that they would add gridlines in future SAMRs, and had meant to do that in this SAMR. Gridlines have been added to the December 2006 SAMR.

6. In Table 10a on page 84, the Coalition needs to provide an explanation of the column entitled "Date of Significance for Toxicity."

Coalition staff referred to this table, but was not exactly sure what data this column held. They will clarify this for next time, and revise if needed.

7. Page 84 lists the TIE start date for DSAGR water flea sample as 3/15/06, while the lab bench sheets list the start date as 3/5/06.

Comment noted.

8. The Reporting Limit (RL) for cypermethrin is reported as 0.1 ug/L on page 89. The MRP requires a maximum RL of 0.05 ug/L. This was also comment number 35 in the 19 May 2006 Review Memo on the December 2005 SAMR (May 2006 Review Memo). In the Coalition's 20 June 2006 Response to Comments, the Coalition stated that the 0.1 ug/L RL was mistakenly recorded as such, but was actually 0.05 ug/L. The Coalition also stated it would update this information.

Comment noted. This change has been made to the December 2006 SAMR.

9. The digitally scanned versions of the Chain of Custodies (COCs) included in the report have many illegible portions, possibly due to enlargement distortion. If the Coalition continues to include scanned versions of the COCs, they should be completely legible; otherwise, the report should include legible photocopies of the original COCs. Staff needs to be able to read all text on each COC. The Coalition should submit new COCs for this report to replace the illegible versions.

The Coalition has been trying to solve this problem for a while now; the COC copies they receive from the labs come to them slightly blurry. They will make sure that the COCs are legible in future SAMRs, either by photocopying the original COCs and submitting those, or figuring out how to make the PDF versions clearer.

10. Page 141 states that Madera and Stanislaus Counties' Pesticide Use Reports (PURs) are not available to the Coalition in a timely manner. If the Coalition chooses to continue to utilize PURs for source identification and follow-up to pesticide exceedances, they need to make an arrangement with the Agricultural Commissioner Offices in order to receive PURs within three months. This may mean the Coalition hires students for data entry at the Agricultural Commissioners' Offices to aid in a cooperative approach.

The Coalition representatives have considered this option; Parry Klassen would be the Coalition representative that staff would talk to about this issue. Staff said they would do that.

11. Pages 143-158 describe all 2005 exceedances and suspected sources. This report does not cover this period of time, and this information was already reported in the December 2005 SAMR. The report should only contain information on the data collected during storm season 2006.

The information relating to 2005 monitoring data contained in this report was not yet reported to Board staff, because the PURs were not available at the time of the last report submittal. The December 2005 SAMR stated that this information would be included in this SAMR, which is why it is there. Staff looked again, agreed with Coalition representatives, and rescinded this comment.

12. The old site name, "Duck Slough @ Pioneer Rd," is used throughout the report, even though the sample site has been changed to Duck Slough @ Hwy 99. The Coalition should only use the Hwy 99 sampling site name if they are not sampling at Pioneer Road, to avoid data confusion. The old name occurs on pages 25, 27, 31, 33, and 159.

Comment noted. The old site name is no longer used and will not be in any future SAMRs.

13. Page 223, Table 37 lists the water quality objectives (WQO) for the Coalition:

- The dissolved oxygen (DO) WQO lists 5.0 mg/L for warm waters and 7.0 for cold waters as the minimum levels. However, the table should also state that warm waters also designated as spawning waters have a WQO of 7.0 mg/L. All water bodies in the Coalition area are either designated with spawning beneficial use or are tributary to a water body designated as such. Therefore, all water bodies in the Coalition area have a WQO of 7.0 mg/L. This comment was also in the May 2006 Review Memo (comment number 37).
- The WQOs listed for turbidity do not apply in the Coalition region (these are for the Delta region).
- The WQO listed for chlorpyrifos, 4-day average, should be 0.015 ug/L rather than 0.014 ug/L. In addition, the diazinon WQO should be 0.10 ug/L rather than 0.08 ug/L. These WQOs were clarified in comment number 31 of the May 2006 Review Memo.

Comment noted. These water quality objective issues will be corrected for the December 2006 SAMR and future reports.

14. Under the Pesticide Data Interpretation section on page 225, there is a brief discussion about two of the three Highline Canal exceedances, but no discussion of the third exceedance. In addition, there is no data interpretation for the Ash Slough exceedances.

Comment noted.

15. Page 229 states that Coalition members completed 70 surveys on manure management practices. This brings up many questions, such as how many were distributed? What are the dates of distribution, and dates and percentages of surveys completed? Were surveys sent to Coalition members, or just handed out to those who attended meetings? Since there were about 1,000-2,000 members at the time of the last workshops, it appears there was a 3.5%-7% return rate. Coalition members need to participate in Coalition activities at a far higher rate.

Parry Klassen would be able to provide information on this aspect of Coalition activities.

Staff spoke with Parry about this issue on 18 January 2007. The Coalition is working to improve survey turnaround rates. One of the reasons the turnaround rates appear so low is because a certain portion of surveys sent out are accidentally sent to non-agricultural parcels, or agricultural parcels that are not in production. Additionally, some surveys are sent to non-Coalition members who choose not to participate.

16. HCALR and DCAWR fathead minnow samples collected 3/16/06 are reported in the table on page 82 as 0% survival compared to the control, but with no significant toxicity. There is a note in the comment column stating that the tests were run with three

replicates instead of the required four because of technician error. However, the lab report states that those two samples had 100% survival. The results in the SAMR table seem to be incorrect results.

Comment noted. Coalition staff think these may have been misprints in the table.

17. HDACA 3/1/06 samples (Executive Summary on page 9, fourth paragraph of page 226, and table on page 82):

- a. The text states that although the initial 3/16/06 sample at Hilmar Drain had 5% *Ceriodaphnia* survival, the result is being reported as 100% survival. This is because when the pH was adjusted to 7.0, survival went up to 100%. However, the result of **both** tests must be reported, with the original sample result reported at 5% survival, as this was the actual measured toxicity in the ambient sample with no manipulations. The 100% survival is a result of a sort of TIE manipulation, and cannot be represented as the original sample result. The lab reported that the original sample was toxic.

Coalition and Board staff discussed this comment, and more discussion may be needed. The Coalition will report both results in the future if this situation occurs again.

cc: Parry Klassen, ESJ Coalition
Mike Johnson, ESJ Coalition