



County of San Diego

DEPARTMENT OF PUBLIC WORKS

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October 20, 2006

Song Her, Clerk of the Board
State Water Resources Control Board
1001 I Street
Sacramento, CA 95814



Comment Letter – 2006 Federal CWA Section 303(d) List

Dear Song Her:

Regarding the September 9, 2006 proposed 2006 federal Clean Water Act (CWA) section 303(d) List of Water Quality Limited Segments for California the County of San Diego presents the following comments:

1. With respect to the fact sheet regarding sulfates in Buena Creek as indicated on page 9 in the September 9 version of "Fact Sheets Supporting Revision of the Section 303(d) List", Section 9: Paragraphs 2 and 3 of the "Weight of Evidence" section state that "there is sufficient justification against placing this water segment-pollutant combination on the section 303(d) list (...) [because] Four of 4 samples exceeded the MCL guidelines for sulfate and this does not exceed the allowable frequency listed in Table 3.2 of the Listing Policy." Furthermore, it is stated in the "SWRCB Staff Recommendation" section on page 9 that "After review of the available data and information, SWRCB staff concludes that the water body-pollutant combination should not be placed on the section 303(d) list because applicable water quality standards for the pollutant are not exceeded." Nevertheless, the "Decision" section on the same page states: "list." Our recommendation is to remove this water segment-pollutant combination from the "Fact Sheets Supporting Revision of the Section 303(d) List", Section 9 and to place it in the Section 9 "Fact Sheets Supporting 'Do Not List' Recommendations" with the "Decision" section stating: "do not list."

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2. With respect to the fact sheet regarding pH in Kitchen Creek as indicated on page 13 in the September 9 version of "Fact Sheets Supporting Revision of the Section 303(d) List", Section 9: Paragraph 4 of "Weight of Evidence" section states that "Five of 29 samples from two combined lines of evidence exceeded the 6 - 8.5 pH Basin Plan water quality objective and this exceeds the allowable frequency listed in Table 3.2 of the Listing Policy." According to the second "Line of Numeric Evidence" (p. 14, 5th paragraph, "Data Used to Assess Water Quality"), "All 5 exceedances occurred on one day, 05/19/1997." The fact that these exceedances occurred on only one day 9 years ago and that 5 exceedances is only the minimum number required to list a new water body-pollutant combination on the Section 303(d) List (as indicated in Table 3.2 of the Listing Policy), we recommend to remove this water segment-pollutant combination from the "Fact Sheets Supporting Revision of the Section 303(d) List", Section 9 and to place it in the Section 9 "Fact Sheets Supporting 'Do Not List' Recommendations" with the "Decision" section stating: "do not list."

3. With respect to the fact sheet regarding sulfates in Miramar Reservoir as indicated on page 142 in the September 9 version of "Fact Sheets Supporting Revision of the Section 303(d) List", Section 9: Paragraph 3 of the "Weight of Evidence" section states that "Two of 21 samples exceeded the Basin Plan criteria, and these exceed the allowable frequency listed in Table 3.1 of the Listing Policy." Table 3.2 (not Table 3.1) of the Listing Policy should have been employed to determine the allowable frequency for sulfates and, with that, a "do not list" decision would have been made. Our recommendation is to remove this water segment-pollutant combination from the "Fact Sheets Supporting Revision of the Section 303(d) List", Section 9 and to place it in the Section 9 "Fact Sheets Supporting 'Do Not List' Recommendations" with the "Decision" section stating: "do not list."

Thank you for this opportunity to comment on the CWA section 303(d) List of Water Quality Limited Segments for California.

Sincerely,



JON VAN RHYNE, Water Quality Program Manager
County of San Diego Watershed Protection Program

JVR/ez

cc: Richard Crompton, Assistant Director of Land Development
Kathleen Flannery, County Administration Office