

813

SACRAMENTO



STORMWATER
QUALITY
PARTNERSHIP

October 18, 2006

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



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

Dear Ms. Her:

The Sacramento Stormwater Quality Partnership appreciates the opportunity to comment on the Final Draft CWA Section 303(d) Lists. The SSQP is a joint program of the County of Sacramento and the Cities of Citrus Heights, Elk Grove, Folsom, Galt, Rancho Cordova, and Sacramento, which are collectively subject to an NPDES Municipal Stormwater Permit.

We wish to commend the Water Board for significantly improving the Section 303(d) listing process through implementation of the State Listing Policy, based on guidance developed by the AB 982 PAG. The consistency of approach, higher degree of technical rigor, and improved documentation of listing decisions all represent significant improvements to this important process.

However, in performing a careful review of the Final Draft listings for the greater Sacramento area, recently circulated for public comment, we find that there are still some areas where consistency in data evaluation and listing decision-making could be improved. Two specific cases help to illustrate this point, as discussed below.

With respect to Sacramento-area urban creeks that previously were listed as impaired due to diazinon and/or chlorpyrifos, we concur with the 2006 decision to move these listings to the "Being Addressed by TMDLs" list, following the implementation of the 2004 Sacramento Urban Creeks Diazinon/Chlorpyrifos TMDL. However, there are incongruities in two related listings:

New Listing – lower Morrison Creek/chlorpyrifos: this listing should be on the "Being Addressed by TMDLs" List. Morrison Creek was listed on the 2002 303(d) list as impaired by diazinon, but not chlorpyrifos (whereas several other Sacramento-area urban creeks were listed for both). The 2004 Sacramento Urban Creeks Diazinon/Chlorpyrifos TMDL covers *both diazinon and chlorpyrifos* for six previously-listed urban creeks (including Morrison Creek). The basis of the TMDL Implementation Plan is simply adherence to the relevant provisions of the Sacramento Municipal Stormwater NPDES Permit, which establishes comprehensive requirements for

The Sacramento Stormwater Quality Partnership is a joint program of the County of Sacramento and the Cities of Citrus Heights, Elk Grove, Folsom, Galt, Rancho Cordova, and Sacramento.

addressing discharges of pesticides in urban runoff. The TMDL does not specify that Morrison Creek is addressed for diazinon only. On the contrary, it is clear that the intent of the TMDL is to address both pesticides (and their cumulative effects) for all six listed creeks. Morrison Creek is covered by the provisions of the NPDES Permit, and the proposed new listing is being addressed by the TMDL implementation provisions; therefore in fact the impairment is being addressed by that TMDL. This listing therefore belongs on the "Being Addressed by TMDLs" list.

Continuing Listing – Natomas East Main Drain (below the confluence with Arcade Creek)/diazinon: it should be noted that this listing is also being addressed by the 2004 Sacramento Urban Creeks Diazinon/Chlorpyrifos TMDL. While this creek is influenced by agricultural runoff above the confluence with Arcade Creek, the lower reach of this creek is within the Sacramento urban area, and is covered by the provisions of the municipal stormwater NPDES Permit, which establishes comprehensive requirements for addressing discharges of pesticides in urban runoff. Therefore this listing is also being addressed by the same implementation provisions as the creeks named under the Sacramento Urban Creeks Diazinon/Chlorpyrifos TMDL. As such it would be appropriate to put this section of creek on the "Being Addressed by TMDLs" list; alternatively the 303(d) listing should be footnoted to indicate that the urban runoff contribution is being addressed through the provisions of the NPDES Permit and/or TMDL.

Thank you for your consideration of these comments. Please contact Dave Tamayo of my staff at 916 874-8024 or tamayod@saccounty.net if you have any questions.

Sincerely,



Kerry Schmitz, Senior Civil Engineer

cc:

Joe Karkoski, CVRWQCB
Pamela Creedon, CVRWQCB
Dave Tamayo, County of Sacramento
Connie Perkins, City of Sacramento
Bill Busath, City of Sacramento
Kevin Becker, City of Citrus Heights
Ramy Kamel, City of Elk Grove
Sarah Amaya, City of Folsom
Trung Trinh, City of Galt
Kathy Garcia, City of Rancho Cordova
Carmel Brown, CKB Environmental