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March 21, 2014

VIA ELECTRONIC MAIL ONLY

Ms. Tessa Fojut
Central Valley Regional Water Quality Control Board
11020 Sun Center Drive, Suite 200
Rancho Cordova, CA 95760
Tessa.Fojut@waterboards.ca.gov

SUBJECT: Draft Water and Sediment Quality Criteria for Esfenvalerate – Phase III:
Application of the Pesticide Water and Sediment Quality Criteria Methodologies

Dear Ms. Fojut:

Our firm, Somach Simmons & Dunn, represents the Pyrethroid Working Group (PWG). On their behalf, we previously submitted comments on the University of California Davis Methodology for Derivation of Pesticide Sediment Quality Criteria for the Protection of Aquatic Life (UCDSM) dated March 7, 2014. With respect to the Draft Water and Sediment Quality Criteria Report for Esfenvalerate (Draft Esfenvalerate Report), we wish to reiterate some of the same concerns previously conveyed.

Most importantly, the PWG maintains its significant concerns with the sediment methodology, and criteria resulting from said methodology. As expressed previously, our concerns pertain to the level of uncertainty associated with criteria developed from the methodology, and the assessment factor approach contained in the report.

Considering the inherent uncertainty in the methodology, we do not believe it appropriate to continue developing “interim” numeric criteria in accordance with the methodology. Accordingly, the PWG recommends that the Draft Esfenvalerate Report not be accepted by the Regional Water Quality Control Board at this time.

Thank you for providing the opportunity to comment.

Sincerely,



Theresa A. Dunham

cc (via email only): Pamela Creedon, Central Valley Regional Water Quality Control Board
Kenneth Landau, Central Valley Regional Water Quality Control Board
James Wells, Environmental Solutions Group, LLC

TAD:cr