



COALITION FOR PRACTICAL REGULATION

"Cities Working on Practical Solutions"

3/20/07 BdMtg Item 7
Listing Policy
Deadline: 3/8/07 12 noon



Via E-mail and U.S. Mail

March 8, 2007

State Water Resources Control Board
1001 I Street
Sacramento, CA 95814
Attn: Song Her, Clerk to the Board
commentletters@waterboards.ca.gov

Subject: 3/20/07 BOARD MEETING – Water Quality Control Policy for Developing California’s Clean Water Act Section 303(d) List (Listing Policy)

Dear Ms. Her and members of the Board:

On behalf of the Coalition for Practical Regulation (CPR), an *ad hoc* group of 43 cities within Los Angeles County that have come together to address water quality issues, I would like to submit the following comments on the Water Quality Control Policy for Developing California’s Clean Water Act Section 303(d) List (Listing Policy).

Although we have concerns with the Water Control Policy for Developing California’s Clean Water Act Section 303(d) List, we support the State Water Board staff’s recommendation to use the existing Listing Policy in developing the 2008 Section 303(d) List. The objective of adopting the Listing Policy was to establish a standardized statewide approach for developing California’s 303(d) List, and so far the policy has been effective.

Since State Board staff was assigned responsibility for developing the 303(d) List, the process for developing the lists and resulting 303(d) lists have been greatly improved. The 2002 list benefited from being used to help develop the listing-delisting policy. The 2004 list was even more improved because of the rigor incorporated into the policy.

The existing policy specifies that “after the 2004 listing cycle [which became the 2006 list] the SWRCB shall evaluate RWQCB-developed waterbody fact sheets for completeness, consistency with this Policy, and applicable law.” The State Board staff is then to assemble the fact sheets and consolidate all the Regional Board fact sheets into the statewide Section 303(d) list. Transferring preparation of the waterbody fact sheets back to the Regional Water Boards is a major change in development of the California 303(d) list and will probably result in a less standardized approach to listing and de-listing across the state. Prior to the State Board staff’s assuming responsibility for the waterbody fact sheets, the various Regional Boards had different policies and approaches for listing and delisting. In some cases, supporting data for earlier listings cannot be found.

If responsibility for developing the waterbody fact sheets is going to continue to revert to the Regional Boards, no changes should be made to the existing policy. The State Water Board should re-evaluate implementation of the policy after the 2008 303(d) list is adopted to determine if Regional Boards will, in fact, implement a consistent, standardized approach to listing and delisting. It will be important for the Board to assess the quality of the process and the quality of the resulting lists for both State Board staff preparation of waterbody fact sheets and Regional Board staff preparation of waterbody fact sheets. We think that you will be better prepared to conduct a thorough review of the policy after one listing cycle for which State Board staff had responsibility for preparing the fact sheets and one listing cycle for which the Regional Boards hold primary responsibility for preparing the fact sheets.

- ARCADIA
- ARTESIA
- BALDWIN PARK
- BELL
- BELL GARDENS
- BELLFLOWER
- BRADBURY
- CARSON
- CERRITOS
- COMMERCE
- COVINA
- DIAMOND BAR
- DOWNEY
- GARDENA
- HAWAIIAN GARDENS
- INDUSTRY
- IRWINDALE
- LA CAÑADA FLINTRIDGE
- LA MIRADA
- LAKEWOOD
- LAWNDALE
- MONROVIA
- MONTEREY PARK
- NORWALK
- PALOS VERDES ESTATES
- PARAMOUNT
- PICO RIVERA
- POMONA
- RANCHO PALOS VERDES
- ROSEMEAD
- SANTA FE SPRINGS
- SAN GABRIEL
- SIERRA MADRE
- SIGNAL HILL
- SOUTH EL MONTE
- SOUTH GATE
- SOUTH PASADENA
- VERNON
- WALNUT
- WEST COVINA
- WHITTIER

Therefore, we have concluded that the staff's recommendation would be the best course of action for the State Water Board at this time. We will have a representative at the March 20 State Water Board meeting to comment further on this issue.

Sincerely,

COALITION FOR PRACTICAL REGULATION

/s/

Kenneth A. Farfing
City Manager, City of Signal Hill

Cc: CPR Steering Committee
CPR Members