

commentletters - Comment: OWTS Policy

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To: <commentletters@waterboards.ca.gov>
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Subject: Comment: OWTS Policy

#36

Jeanine Townsend, Clerk to the State Water Resources Control Board

This letter is to the State Water Board in regard to the adoption of a draft State Policy for Water Quality Control for Siting, Design, Operation, and Management of Onsite Wastewater Treatment Systems (OWTS Policy).

My name is Jim Mamer. I live at 29102 Kommers Lane in Modjeska Canyon (714) 649 2950.. Although Modjeska Creek does not seem to have the water quality problems of Silverado Creek I am a member of the Inter Canyon League (ILC) and, as such, share concerns about the OWTS Policy.

At an ILC meeting this week we were told by a very polite Ruby Maldonado (the Manager of Advance Planning and Sustainable Development OC Planning) that we had a couple of days to comment on the situation. I suppose that if we had all been reading the water reports concerning our area, going back at least a decade, the need for comments would not have come as a surprise, but

During the meeting I believe we were told that Silverado Creek was categorized a Stage 4 problem. In the documents I was sent it seems the creek is a category 5 (see below for what I found). At the meeting Ms. Maldonado was not clear on what pollutants had been found. If I read the documents correctly there are three: E. Coli, another simply labeled "Pathogens", and a third labeled "Salinity/TDS/Chlorides".

Is it not obvious that none of us want to pollute the waters that surround us? We need to find a way to work together to resolve this problem. However there has been an obvious failure, probably at the state level, to keep us informed and to provide understandable information to residents. As a consequence I believe the comment deadline is absurdly short.

1 → Could we have someone, with specific knowledge of the issues, put the problems and the evidence in plain English and send this information to all concerned including the ILC. Could we have a couple of months to absorb and discuss this information?

2 → Along with that could someone with expertise outline various ways to tackle the problem? Is this an individual responsibility to determine who is responsible for what? If so, it is vital to recognize that there are many residents of these canyons on fixed and limited incomes. What can be done to assist them if the burden is to be placed on individuals? More importantly is there a community-wide response that could work? Are there natural ways (marshes?) to solve the problems? You get the idea.

In short I'm asking for the following:

- Describe the problems in plain English.
- Be as specific as you possibly can be.
- Offer an outline of a variety of solutions that include reasonable ways to finance the fixes.

If you're still with me here is a summary of what I found in the provided documents. My comments above are based on what is below. I have questions in bold if you have the time to respond.

2010 CALIFORNIA 303(d) LIST OF WATER QUALITY LIMITED SEGMENTS*

Category 5 criteria: 1) A water segment where standards are not met and a TMDL is required, but not yet completed, for at least one of the pollutants being listed for this segment.

* USGS HUC = US Geological Survey Hydrologic Unit Code. Calwater = State Water Resources

Control Board hydrological subunit area or even smaller planning watershed.

** TMDL requirement status definitions for listed pollutants are: A= TMDL still required,

B= being addressed by USEPA approved TMDL, C= being addressed by action other than a TMDL

*** Dates relate to the TMDL requirement status, so a date for A= TMDL scheduled completion date,

B= Date USEPA approved TMDL, and C= Completion date for action other than a TMDL

Total Maximum Daily Load (TMDL)

Silverado Creek:

Pollutant assessments for Silverado Creek

Pollutant: Escherichia coli (E. coli)

LOE Subgroup: Pollutant-Water

Matrix: Water

Fraction: None

Beneficial Use: Water Contact Recreation

Number of Samples: 34

Number of Exceedances: 2

3 → The first mentioned problem is E. Coli which was found to exceed limits in 2 of 34 samples. Later on that specific issue I found the following RWQCB Board Staff Decision: *After review of the available data and information, RWQCB staff concludes that the water body-pollutant combination should not be placed on the section 303(d) list because applicable water quality standards are not being exceeded.* **What does this mean?**

The second problem is labeled “Pathogens” defined as defined as “a bacterium, virus, or other microorganism that can cause disease.” **Why is this not more specific?** Unless I read the report incorrectly the source is listed as “unknown.”

Pollutant:	Pathogens
Final Listing Decision:	List on 303(d) list (TMDL required list)
Last Listing Cycle's Final Listing Decision:	List on 303(d) list (TMDL required list)(2006)
Revision Status	Original
Sources:	Unknown Nonpoint Source
Expected TMDL Completion Date:	2019
Impairment from Pollutant or Pollution:	Pollutant

The third problem is “Salinity/TDS/Chlorides” also from an unknown source.

Pollutant:	Salinity/TDS/Chlorides
Final Listing Decision:	List on 303(d) list (TMDL required list)
Last Listing Cycle's Final Listing Decision:	List on 303(d) list (TMDL required list)(2006)
Revision Status	Original
Sources:	Unknown Nonpoint Source
Expected TMDL Completion Date:	2019
Impairment from Pollutant or Pollution:	Pollutant

In another area of the report it is written that the date of what I'm assuming to be cleanup completion is **2019. This date was never mentioned at the meeting – is it important?**