



Association of California Water Agencies

Leadership Advocacy Information *Since 1910*

October 20, 2006

Via e-mail: commentletters@waterboards.ca.gov

Song Her, Clerk to the Board
State Water Resources Control Board
Executive Office
1001 I Street, 24th Floor
Sacramento, CA 95814
Fax: (916) 341-5620



**Comments Regarding The State Water Resources Control Board (SWRCB)
Proposed 2006 Federal Clean Water Act (CWA) Section 303(d) List of Water
Quality Limited Segments For California**

Dear Ms. Her:

The Association of California Water Agencies (ACWA) submits this comment letter in response to the State Water Resources Control Board (SWRCB) Proposed 2006 Federal Clean Water Act Section 303(d) List of Water Quality Limited Segments For California [Section 303(d) List]. ACWA represents over 450 public water agencies in California. Our members supply over 90% of the water delivered in California for domestic, agricultural and industrial uses. ACWA member agencies operate water conveyance facilities, drinking water storage reservoirs, and water treatment facilities throughout the state. Our member agencies are keenly interested in the accurate identification of surface water quality impairments and effective mechanisms to ensure the restoration of affected water bodies.

ACWA is disappointed that the SWRCB staff has chosen to disregard our comments of January 31, 2006 on the draft 303 (d) list regarding what we believe are clear errors in the rationale used for listing a number of water bodies statewide.

These errors were described in our previous letter and in many other comment letters. We believe that the SWRCB staff response to comments in these cases is not satisfactory.

These listing concerns are associated with the rationale used to support listings of drinking water reservoirs and conveyances for salinity and related impairments, and the lack of support for temperature impairment listings with the North Fork of the Feather River.

Drinking Water Reservoir and Conveyance Facility Listings

ACWA remains concerned that drinking water reservoirs and conveyances have been proposed for new and continued listings for high Total Dissolved Solids (TDS), low Dissolved Oxygen (DO), or high levels of various naturally occurring metals or salts that either do not pose a threat to public health or are treated to achieve state drinking water standards before distribution to the public. Examples previously cited include a number of reservoirs in San Diego County that provide storage for imported Colorado River water, which is naturally high in salinity. We are also concerned with listing of the All American Canal for elevated salinity and how SWRCB staff continues to mistakenly rely on use of a secondary *recommended* MCL to justify this listing. The Department of Health Services has underscored that the secondary MCLs for chloride and sulfate are "Consumer Acceptance Contaminant Level Ranges" and that concentrations ranging to the upper contaminant level are acceptable for public water supplies. In this regard, we fully concur with the detailed comments on this topic that have been submitted by Coachella Valley Water District.

ACWA continues to believe that widespread listing of drinking water reservoirs for constituents that are not a threat to Municipal and Domestic Supply (MUN) is a technical and policy mistake that SWRCB needs to correct.

Temperature Listings

ACWA also continues to be concerned about the inadequate justification for a proposed listing for temperature impairment on the North Feather River. Although the draft listing was challenged by ACWA and several other commenters, including staff of the Central Valley Regional Water Quality Control Board, the only response seems to have been adding further less-than-convincing lines of evidence to support the proposal. The SWRCB staff has not adequately addressed

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the fundamental questions on the propriety of continued reliance on instantaneous daily maximum temperature exceedances as the basis for this temperature listing. We believe that correcting this error is important because of its precedent-setting potential for other locations where use of instantaneous daily maximum temperature exceedances provide the sole basis to support proposed impairments for temperature.

ACWA appreciate your attention to these matters. We support the overall efforts of the SWRCB to provide increasingly robust water quality information to support the 303(d) listing process. If you have any questions regarding these comments, please contact David Bolland at (916) 441-4545.

Sincerely,



Krista Clark
Director of Regulatory Affairs