



City of Carlsbad

Public Works – Environmental Programs

October 26, 2009

Cynthia Gorham- Test
California Regional Water Quality Control Board
San Diego Region
9174 Sky Park Court, Suite 100
San Diego, CA 92123- 4340

RE: Comments on the 2008 Draft 303(d) List

Dear Ms. Gorham-Test:

On behalf of the City of Carlsbad (City), please accept the information contained in this letter as formal comment to the 2008 draft 3003(d) list currently posted on your website at http://www.waterboards.ca.gov/sandiego/water_issues/programs/303d_list/index.shtml. Thank you for the opportunity to submit comments and we look forward to your thorough review.

The City specifically appreciates the efforts of the Regional Water Quality Control Board staff, and supports the decision to delist the following water bodies:

- Agua Hedionda Lagoon – indicator bacteria, sedimentation/siltation: based on seven lines of evidence being considered in the assessment of bacteria as a contaminant, with the data demonstrating that applicable water quality standards are being achieved, and for sediment based upon the weight of evidence presented in the fact sheet.
- Pacific Ocean Shoreline, Buena Vista Creek HA at Buena Vista Lagoon Outlet – enterococcus, fecal coliform, total coliform: based on data presented in the City's delisting application submitted January 31, 2006.
- Pacific Ocean Shoreline, Buena Vista Creek HA, at Carlsbad State Beach at Carlsbad Village – enterococcus, fecal coliform, total coliform: based on data submitted in the City's delisting application submitted January 31, 2006.
- Pacific Ocean Shoreline, Buena Vista Creek HA, at Carlsbad State Beach at Pine Ave. – enterococcus, fecal coliform, total coliform: based on data submitted in the City's delisting application submitted January 31, 2006.

The remaining comments are related to the formal listing of water bodies.



Escondido Creek

Matrix = water

Contaminant = DDT, enterococcus, fecal coliform, selenium, sulfates, total nitrogen as N, toxicity

Comments: Two lines of evidence (LOEs) are listed for the DDT listing. However, LOE #6231 should not be included because it states the number of sample exceedances may not be determined because a detection limit was used that was above the criteria (CTR) being used to determine such exceedances.

The listing for selenium references three LOEs. The first LOE (#3231) references 8 exceedances for selenium out of 15 samples taken in 2002, from March through September, only a 7 month time period. The second LOEs (#3230) indicates there was no exceedance associated with one sample taken in 1998. Of significance is that LOE #6246 indicates there were no exceedances for selenium out of 18 samples taken over a two year period between 2003 and 2005. These later data collected over a two year period, indicate selenium is no longer a contaminant in this water body, therefore it should not be listed.

The second line of the *Weight of Evidence* section of the Supporting Information for sulfates states there are three LOEs available in the administrative record to assess this pollutant. However, only two LOEs (#3243 and 3244) are presented. In addition, the water quality objectives used for finding exceedances and therefore listing sulfates at this location are secondary drinking water standards. To our knowledge, Escondido Creek is not used as a municipal domestic drinking water source therefore secondary drinking water standards are an incorrect standard to apply for finding exceedances, and it should not be listed.

The listing for enterococcus and fecal coliform are based on exceedances of water quality objectives from the Water Contact Recreation (REC-1) beneficial use. To our knowledge, Escondido Creek is not used for contact recreation, therefore the REC-1 standard is not an applicable standard to use, and it should not be listed. The San Diego Basin Plan defines a REC-1 water body as one that “...includes uses of water for recreational activities involving body contact with water, where ingestion of water is reasonably possible. These uses include, but are not limited to, swimming, wading, water-skiing, skiing and SCUBA diving, surfing, white-water activities, fishing or use of natural hot springs.”

Agua Hedionda Creek

Matrix = water

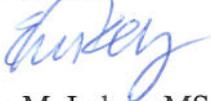
Contaminant = enterococcus, fecal coliform

Comments: The listing for enterococcus and fecal coliform are based on exceedances of water quality objectives from the Water Contact Recreation (REC-1) beneficial use. To our

knowledge, Agua Hedionda Creek is not used for contact recreation, therefore the REC-1 standard is not an applicable standard to use, and it should not be listed.

Thank you again for the opportunity to comment on this draft document. We appreciate the amount of work that your agency is doing to help protect water quality in our region. If you have any questions or need further clarification, please do not hesitate to contact me at 760.602.7582.

Best regards,



Elaine M. Lukey, MS, CPEA
Environmental Programs Manager, City of Carlsbad

CC: Jim Elliott, Deputy City Manager, City of Carlsbad
Glenn Pruiim, Director Public Works, City of Carlsbad
Linda Kermott, Public Works Manager, City of Carlsbad