



Region 2

545

Donald P. Freitas
Program Manager

November 9, 2005

Craig J. Wilson, Chief
Monitoring and TMDL Listing Unit
Division of Water Quality
State Water Resources Control Board
P.O. Box 100
Sacramento, CA 95812

13

Subject: Comments regarding the proposed revision of the Clean Water Act Section 303(d) List of Water Quality Limited Segments

Dear Mr. Wilson:

The Contra Costa Clean Water Program (Program) appreciates the opportunity to provide written comments regarding the State of California's proposed revision of Clean Water Act Section 303(d) list of impaired water bodies. The Program is submitting these comments on the proposed revisions to the 2006 303(d) list for the San Francisco Bay Region on behalf of the Program's 21 municipal stormwater co-permittees¹. These revisions as presented in the State Water Resources Control Board (Water Board) Staff Report Volume I and II (Staff Report), dated September 2005.

1. Lafayette Reservoir Listings

The Staff Report recommends two reservoirs in Contra Costa (Lafayette and San Pablo) be listed as impaired for pollutant-tissue concentrations above Screening Values (SV) used by the Office of Environmental Health Hazard Assessment (OEHHA) to establish an *Interim Health Advisory* for consuming fish in San Francisco Bay Area Reservoirs (OEHHA, 2004). While the Program is concerned about elevated levels of contaminants in fish consumed from reservoirs in Contra Costa County and the potential risk to public health, we would like to raise one important issue that should be considered prior to the listing these reservoirs as water quality limited (i.e., impaired):

¹ Contra Costa County, City of Antioch, City of Brentwood, City of Clayton, City of Concord, Town of Danville, City of El Cerrito, City of Hercules, City of Lafayette, City of Martinez, Town of Moraga, City of Oakley, City of Orinda, City of Pinole, City of Pittsburg, City of Pleasant Hill, City of Richmond, City of San Pablo, City of San Ramon, City of Walnut Creek and Contra Costa Flood Control and Water Conservation District.



- **Goldfish are not a frequently consumed species** – The OEHAA advisory for **Lafayette Reservoir** was based on fish tissue sampling and analyses conducted by the Surface Water Ambient Monitoring Program (SWAMP) in September 2002 (SWAMP, 2005). Based on the results of the SWAMP study, two species (Goldfish and Channel Catfish) exceeded the OEHHA Screening Value (SV) for Total PCBs; and, two species (Goldfish and Largemouth Bass) exceeded the SV for Total Mercury. However, it is unclear why tissues from Goldfish were analyzed for contaminant concentrations since this species is not frequently caught and consumed. There is no mention of Goldfish in the SWAMP report, which stated:

“Fish targeted for collection in Regional reservoirs in 2000-2002 included those species frequently caught and consumed by recreational anglers: channel catfish, carp, rainbow trout, largemouth bass, bluegill, crappie and other sunfish”

If Goldfish were removed from the analysis conducted by SWAMP, only one species collected from Lafayette Reservoir would exceed the SV used by OEHHA.

Recommendation – Remove Goldfish from the analysis and reconsider listing Lafayette Reservoir for PCBs and mercury.

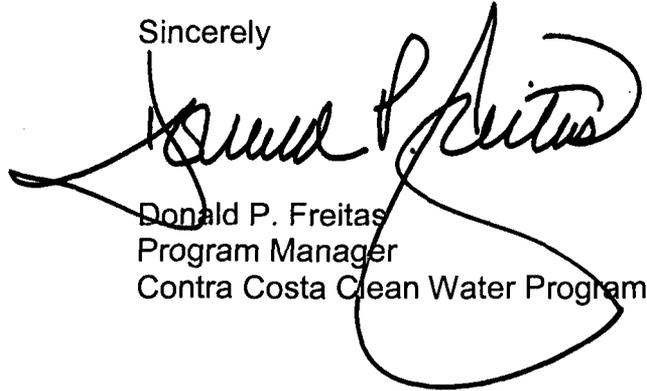
2. Delisting San Francisco Bay for Diazinon

The Program strongly supports the State Board Staff recommendation to remove the San Francisco Bay and all its segments from the Section 303(d) list for diazinon. Since the listing in 1998, new water quality data has been collected and analyzed from all segments of the San Francisco Bay, which indicate that ambient water concentrations of diazinon in the Bay are at least an order of magnitude below water quality criteria (US EPA 2000). Additionally, RMP monitoring of ambient water toxicity in water samples collected from October 2001 through April 2003, also indicate an absence of toxicity to test organisms (Ogle and Gunther 2002; Ogle and Gunther 2003). Therefore, the best available data suggests the concentrations of diazinon are below water quality criteria and aquatic toxicity in the San Francisco Bay is not present; indicating that the narrative water quality objectives for toxicity (acute and chronic) are currently being met.

Recommendation – Delist all segments of the San Francisco Bay for from the 303(d) list for diazinon.

The Program appreciates the opportunity to comment on the proposed revision of the Clean Water Act Section 303(d) list of water quality impaired segments, and staff looks forward to reviewing your response to our comments.

Sincerely

A handwritten signature in black ink, appearing to read "Donald P. Freitas". The signature is fluid and cursive, with a large loop at the end.

Donald P. Freitas
Program Manager
Contra Costa Clean Water Program

G:\GrpData\NPDES\WAM\Reports\Program Comments 2006 303(d).doc

cc: Bruce Wolf – SFB Water Board
Christine Boschen – SFB Water Board
Christine Palisoc – CV Water Board
CCCWP Management Committee Representatives
BASMAA Executive Board
Chris Sommers – EOA, Inc.