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December 14, 2017

Jeanine Townsend, Clerk to the Board
State Water Resources Control Board
P.O. Box 100, Sacramento, CA 95812-2000

Subject: Sediment Quality Objectives

Dear Sir/Madam:

Thank you for the opportunity to provide comment on the Proposed Amendments to the Water Quality Control Plan for Enclosed Bays and Estuaries: Sediment Quality Provisions. The questions below are posed from the perspective of an agricultural stakeholder, who is confused about how this policy will apply upstream to rivers and streams that flow into estuaries and enclosed bays.

First, how will it be determined whether an upstream source may be impairing an estuary and/or enclosed bay?

From my understanding, source designation and allocations will be based upon a model. How will the model's resolution be verified? Often, on the Central Coast, we find that model resolution is too simplistic for our diverse conditions. What if the model does not reflect the subtleties of a highly nuanced ecosystem? Is the model, then, improved? Or does this mean that policy, and subsequent regulations, will be based upon a model, regardless of its sufficiency? Is potential mischaracterization inherently built into this policy?

Finally, what is the "obligation point of compliance" for an upstream non-point source? It is unclear. This issue is critical for a policy that applies to one area through nexus to another area. As written, the policy leaves regulatory staff with interpretative leeway and the regulated community with great uncertainty.

Thank you for considering these comments and questions.

Most Sincerely,

A handwritten signature in black ink, consisting of a series of loops and a long horizontal stroke extending to the right.

Kay Mercer
President