Thank you for the opportunity to comment on the State Water Resources Control Board’s proposed Water Quality Control Policy for Developing California’s Clean Water Act Section 303(d) List (policy).

The Department of Pesticide Regulation’s (DPR’s) comments are presented below.

With the adoption last year of DPR’s Process for Responding to the Presence of Pesticides in Surface Water, we rely on regional water quality control boards (regional boards) to determine when water quality objectives are exceeded for reasons related to pesticide use. Then, DPR and the regional boards work collaboratively to identify the best responses that will result in attainment and maintenance of water quality objectives. At the core of this process is high quality monitoring data and rigorous evaluations on which the regional boards will base their determinations. The data will help DPR and the regional boards describe temporal and spatial characteristics of the pesticide pollutant, identify sources, and recognize important data gaps, all critical for development of effective remediation.

As proposed, the policy appears to preserve flexibility for the regional boards to work with stakeholders to obtain and evaluate high quality data and to discuss findings in an open, public process. We encourage you to ensure that such flexibility is preserved in your policy so that determinations on exceedences of water quality objectives are based on a broad array of information and on sound science. In that regard, your policy should promote a wide variety of investigative strategies and avoid the appearance that it endorses or prescribes specific procedures, such as the proposed application of the binomial distribution. Regional boards should have the
discretion to consider all data and interpretations that they and stakeholders deem appropriate as part of a comprehensive, weight-of-evidence approach for determining water quality impairments.

Thank you for your consideration. If you have any comments, please contact John S. Sanders, Ph.D., of my staff, at 324-4100 or <jsanders@cdpr.ca.gov>.

cc: John S. Sanders
    Celeste Cantú, State Water Resources Control Board Executive Director
ASSIGNMENT ROUTE SLIP

CORRESPONDENCE AUTHOR: Irvin, Debbie (SWRCB)

SUBJECT: Public Hearing on Clean Water Act--Request for Comments

CORRESPONDENCE DATE: 12/2/2003

DATE RECEIVED: 12/8/2003

ASSIGNED TO: Dokumura

BY (INITIAL): PHelliker

DATE ASSIGNED: 12/10/2003

ASSIGNED TO: Banders

BY (INITIAL): Dokumura

DATE ASSIGNED: 12/1/2003

INSTRUCTIONS:

☑ Memo/ □ Letter / □ E-mail for signature of: Paul Helliker

☐ Phone/Fax reply

☐ Review/Recommendations/Comments only

☑ cc to: approp. staff

☑ bcc to: approp. staff

☐ Coordinate with:

Written instructions or background, such as previous correspondence, conversations, meetings, legislation, if available: (☑ see attached)

Please note that if we have any comments, they are due no later than February 11, 2004.

Marshall, et al. - can you let me know why you don't think the binomial distribution criterion is appropriate? - I'll e-mail you on this

DIRECTION:

Depth of Response: □ Brief □ Moderate □ Detailed

Position of Department: □ Support □ Oppose □ Your Recommendation □ Other

Draft Review

for Content

Requested: Branch Chief

Assistant Director

Due Date

Initials/ Date

Proofreader/ Date

Final Due Date to:

Branch Chief

Assistant Director

Other:

Chief Deputy Director

Director

Due to Agency: Governor:

Completion Date: 2/17/04

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