



CALIFORNIA CHAMBER of COMMERCE

February 18, 2004

Mr. Craig J. Wilson, Chief
TMDL Listing Unit
Division of Water Quality
State Water Resources Control Board
P.O. Box 100
Sacramento, CA 95812-0100

RE: Comments on the Draft Water Quality Control Policy for Developing California's
Clean Water Act Section 303(d) List

Dear Mr. Wilson:

In general the California Chamber of Commerce supports the comments made by the California Coalition for Clean Water and other industry representatives as expressed at the January 28 workshop and submitted in writing to the State Water Resources Control Board (Board).

The Chamber supports Board's goal of establishing a standardized approach for assigning water bodies to the state's Section 303(d) list. We also support the inclusion of requirements for data quality and quantity, requirements for consistency and statistically valid data evaluations, and streamlined implementation provisions. The Chamber has long-standing policy that environmental regulations should be based on sound science, subject to peer review and public hearings, and giving due consideration to the economic affects of implementing regulations.

However we do have a few concerns. We are concerned that the Trends in Water Quality and Alternate Data Evaluation sections allow for listing water bodies without scientific criteria. We are also concerned that previous 303(d) listings were not based on sound science and therefore should be reevaluated. Anecdotal information without proper scientific support should not be considered. Lastly, we believe the "planning and monitoring list" should be reinstated. Once a water body is listed even if it is later proved to be an incorrect listing, the public perception is that the water body is impaired.

The business community recognizes the need for good water quality but also knows that a vigorous economy is what helps develop new cleaner technologies for the future. At the same time, business will avoid locating new or expanding existing facilities in areas with

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303(d) listed water bodies. It is in the best interest of the Board to insure listings are credible based on sound science.

Sincerely,

A handwritten signature in cursive script, appearing to read "Valerie Nera".

Valerie Nera, Director
Agriculture & Resources, Water & Privacy