January 30, 2006

Selica Potter, Acting Clerk to the Board
State Water Resources Control Board
Executive Office
1001 I Street, 24th Floor
Sacramento, California 95814

Re: 2006 Proposed Revisions to the Clean Water Act (CWA) Section 303 (d) list

Dear Ms Potter:

The City of San Juan Capistrano submits the following comments to the 2006 Proposed
Revisions to the CWA Section 303 (d) list. Please note that the City of San Juan
Capistrano supports the comments provided by the County of Orange and is providing
additional comments to the waterbody that may be impacted by the City of San Juan
Capistrano.

The City is requesting that San Juan Creek not be listed for DDE because of the
following:

Limited Data: San Juan Creek (DDE) along with several other potential listings in
South Orange County are based on a very limited number of samples taken from only
one sampling location. The Listing Policy states that “Samples should be representative
of the water body segment. To the extent possible, samples should represent statistically
or in a consistent targeted manner the segment of the water body.” Samples taken from
only one sampling location are not representative of the water body segment and should
not be the sole basis for placement on the 303 (d) list.

Recommendation: Do not list based on data taken from one sampling location which is
not representative of the water body as a whole; make correction to the Fact Sheet text.

Thank you for the opportunity to provide comments on the 2006 proposed revisions to
the California Clean Water Act Section 303 (d) List. We look forward to working with
the SWRCB in resolving these issues and producing an accurate and comprehensive list
of impaired water bodies in the State of California.

San Juan Capistrano: Preserving the Past to Enhance the Future
Please contact Ziad Mazboudi at 949-234-4413 if you have any questions regarding these comments.

Respectfully,

Nasser Abbaszadeh, PE
Director of Building and Engineering
City of San Juan Capistrano

CC:  Dave Adams, City Manager
     Ziad Mazboudi, Senior Civil Engineer
     Lisa Zawaski, Dana Point
     Nancy Palmer, Laguna Niguel
     Humza Javed, Laguna Hills
     Joe Ames, Mission Viejo
     Erica Ryan, Rancho Santa Margarita
     Richard Boone, County of Orange
     Amanda Carr, County of Orange