NOTICE OF OPPORTUNITY FOR PUBLIC COMMENT
ON A PROPOSED AMENDMENT TO THE WATER QUALITY CONTROL PLAN
FOR THE SAN FRANCISCO BAY REGION (BASIN PLAN) TO ESTABLISH A
WATER QUALITY ATTAINMENT STRATEGY AND
TOTAL MAXIMUM DAILY LOAD (TMDL) FOR DIAZINON AND
PESTICIDE-RELATED TOXICITY IN BAY AREA URBAN CREEKES

NOTICE IS HEREBY GIVEN THAT the State Water Resources Control Board (State
Water Board) will now accept comments on a proposed Basin Plan amendment that
would establish a program to control pesticide-related toxicity (including diazinon) in Bay
Area urban creeks. The San Francisco Bay Regional Water Quality Control Board (San
Francisco Bay Water Board) adopted the proposed amendment on November 16, 2005
under Resolution R2-2005-0063. The State Water Board expects to consider the
proposed amendment for approval at a future meeting in 2006. Notice of that meeting
will be published separately. The meeting agenda item, including the draft resolution
and proposed amendment language, will be available on the State Water Board’s
website at http://www.waterboards.ca.gov/tmdl/tmdl.html, or by request.

Thirty-seven urban creeks in the San Francisco Bay Region were identified in 1998
under federal Clean Water Act § 303(d)(1) as not meeting narrative water quality
standards for toxicity to aquatic life attributed to diazinon. Diazinon is a broad-spectrum
organophosphorus pesticide used to control a variety of insect pests, such as ants.

Although the U.S. Environmental Protection Agency phased out most urban diazinon
applications at the end of 2004, the substitute pesticides being used in its place may
now pose potential water and sediment quality concerns. Pesticides, including diazinon,
enter urban creeks mainly through urban runoff after being applied outdoors for
landscape maintenance, structural pest control, agricultural uses, and other pest
management purposes. Factors that affect pesticide concentrations in urban creeks
include: the amount used; the chemical and physical properties of the pesticide and its
product formulation; the sites of use (e.g., landscaping, turf, or paved surfaces); and
irrigation practices and precipitation.

Placement on the 303(d) list requires that a plan (a TMDL) be developed to control the
identified pollutants and ensure that standards are met. The proposed amendment
establishes a water quality attainment strategy and TMDL for diazinon and pesticide-
related toxicity in the Region’s urban creeks. The TMDL includes actions and
monitoring necessary to implement the attainment strategy. The San Francisco Bay
Water Board decided to apply the attainment strategy and TMDL to all urban creeks in
the Region, including those not formally listed on the 303(d) list, because all the
Region’s urban creeks can reasonably be assumed to receive similar pesticide discharges and because implementation actions will be most efficient if applied region-wide.

The proposed amendment sets numeric targets for pesticide-related acute and chronic toxicity in urban creek water and sediment. In addition, the proposed amendment establishes a concentration-based target for diazinon in the water column. The cornerstone of the attainment strategy is pollution prevention, which can be accomplished by using less-toxic pest control methods and by applying integrated pest management techniques. Implementation of the strategy will focus on (1) regulatory programs, (2) education and outreach, and (3) research and monitoring. The San Francisco Bay Water Board plans to review the attainment strategy and TMDL every five years to determine if any modifications are necessary.

Letters commenting on this proposed amendment must be received by 5 p.m. on September 22, 2006. After this deadline, the State Water Board will not accept additional written comments unless the State Water Board determines that such comments should be accepted or unless changes are made to the proposed resolution prior to the State Water Board meeting where this proposed amendment will be considered. Please address your comments to: Song Her, Clerk to the Board, and send by email to commentletters@waterboards.ca.gov, by fax to (916) 341-5620, or by mail to State Water Resources Control Board, 1001 I Street, Sacramento, CA 95814. Please also indicate in the subject line “Comment Letter - Plan to control pesticide-related toxicity in Bay Area urban creeks.”

Please direct questions about this notice to Joanna Jensen, Division of Water Quality, at (916) 341-5557 or JJensen@waterboards.ca.gov or to Steven H. Blum, Senior Staff Counsel, at (916) 341-5177 or SBlum@waterboards.ca.gov.