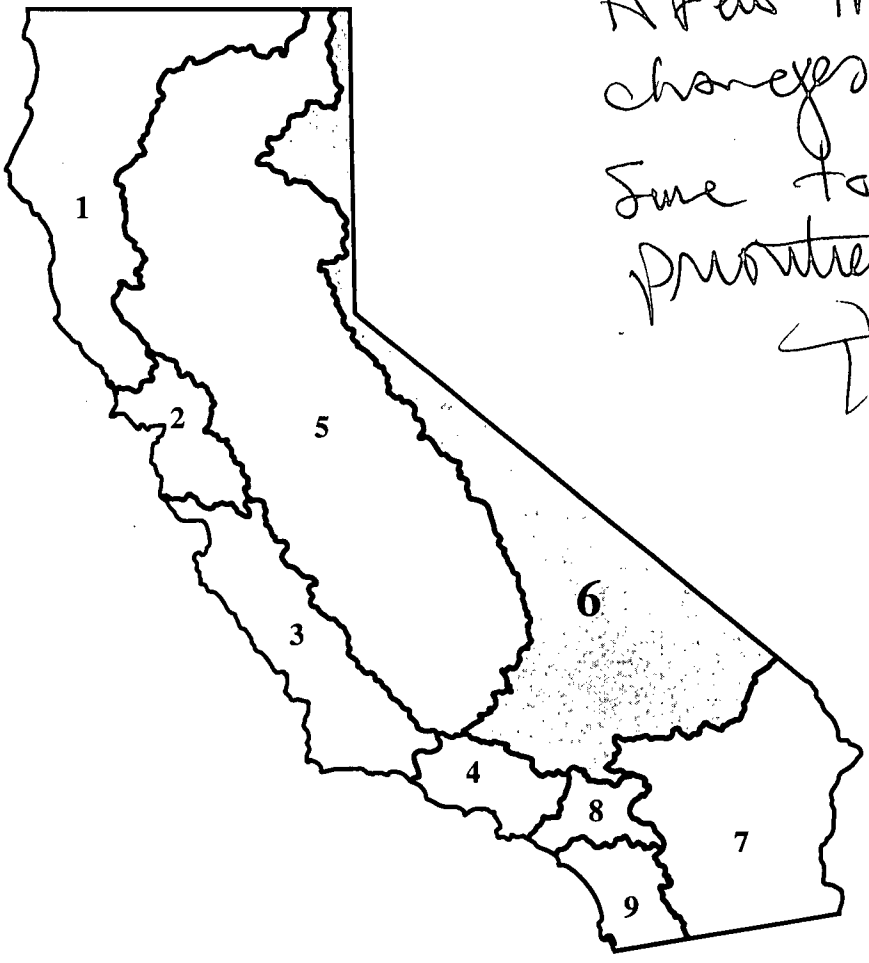
Regional Water Quality Control Board

LAHONTAN REGION (6)

3/14/02

DB
A few minor changes. Pls be sure to add priorities.
Thanks



SECTION 303 (d) LIST PROPOSALS

Region 6 Summary of Recommendations

Water Body	Pollutant/Medium /Beneficial Use	RWQCB Recommendation	SWRCB Recommendation	Priority
Searles Lake	Petroleum Hydrocarbons	List	List	
Blackwood Creek (tributary to Lake Tahoe)	Nitrogen	List	List	
Blackwood Creek (tributary to Lake Tahoe)	Phosphorus	List	List	
Blackwood Creek (tributary to Lake Tahoe)	Iron (plant nutrient)	List	List	
Heavenly Valley Creek between USFS boundary and confluence with Trout Creek	Sediment	List	List	
Heavenly Valley Creek	Chloride	List	Watch list, due to major source believed to be of natural origin. Revise WQO.	
Heavenly Valley Creek, within USFS boundary	Phosphorus	List	Watch list, due to major source believed to be of natural origin	
Unnamed creek (aka Hidden Valley Creek)	Chloride	List	Watch list, due to major source believed to be of natural origin. Revise WQO.	
Unnamed creek (aka Hidden Valley Creek)	Phosphorus	List	Watch list, due to major source believed to be of natural origin	
General Creek (tributary to Lake Tahoe)	Phosphorus	List	List	
General Creek (tributary to Lake Tahoe)	Iron (plant nutrient)	List	List	
Upper Truckee River (tributary to Lake Tahoe)	Phosphorus	List	List	
Upper Truckee River (tributary to Lake Tahoe)	Iron (plant nutrient)	List	List	

Water Body	Pollutant/Medium /Beneficial Use	RWQCB Recommendation	SWRCB Recommendation	Priority
Upper Truckee River (trib to Lake Tahoe)	Pathogens	List	List	
Big Meadow Creek (trib to lake Tahoe)	Pathogens	List	List	
Trout Creek(trib. to Lake Tahoe)	Phosphorus	List	List	
Trout Creek(trib. to Lake Tahoe)	Nitrogen	List	List	
Trout Creek(trib. to Lake Tahoe)	Iron (plant nutrient)	List	List	
Trout Creek(trib. to Lake Tahoe)	Pathogens	List	List	
Tallac Creek (trib. To Lake Tahoe)	Pathogens	List	List	
Ward Creek (trib. To Lake Tahoe)	Nitrogen	List	List	
Ward Creek (trib. To Lake Tahoe)	Phosphorus	List	List	
Ward Creek (trib. To Lake Tahoe)	Iron (plant nutrient)	List	List	
West Fork Carson River, Headwaters to Woodfords	Phosphorus	List	List, Revise WQO	
West Fork Carson River, Headwaters to Woodfords	Nitrogen	List	List	
West Fork Carson River, Headwaters to Woodfords	Percent sodium	List	List	
West Fork Carson River, Woodfords to Paynesville	Percent sodium	List	List	
West Fork Carson River, Woodfords to Paynesville	Nitrogen	List	List	
West Fork Carson River, Woodfords to Paynesville	Pathogens	List	List	

Water Body	Pollutant/Medium /Beneficial Use	RWQCB Recommendation	SWRCB Recommendation	Priority
Monitor Creek	Sulfate	List	List	
Monitor Creek	TDS	List	List	
Indian Creek	Pathogens	List	List	
East Walker River above Bridgeport Reservoir	Pathogens	List	List	
East Walker River above Bridgeport Reservoir	Nitrogen	List	List	
East Walker River below Bridgeport Reservoir	Phosphorus	List	List	
Virginia Creek	Pathogens	List	List	
Robinson Creek	Pathogens	List	List	
Robinson Creek, Hwy 395 to Bridgeport Reservoir	Nitrogen	List	Watch list, due to exceedence observed in single sample.	
Buckeye Creek	Phosphorus	List	Watch list, due to exceedence observed in single sample.	
Buckeye Creek	Pathogens	List	List	
Swauger Creek	Phosphorus	List	List	
Swauger Creek	Pathogens	List	List	
Mojave River between Upper and Lower Narrows	TDS	RWQCB staff recommended listing. Board removed listing without explanation.	List	
Mojave River between Upper and Lower Narrows	Sulfate	RWQCB staff recommended listing. Board removed listing without explanation.	List	

Water Body	Pollutant/Medium /Beneficial Use	RWQCB Recommendation	SWRCB Recommendation	Priority
Mojave River between Upper and Lower Narrows	Chloride	RWQCB staff recommended listing. Board removed listing without explanation.	List	
Donner Lake	Priority Organics	Delist based on limited data used to list. No OEHHA advisory in effect. No recent data available.	Do not Delist. TSMP data is sufficient (two composite samples of 13 fish), and exceedances of WQO are large enough to maintain listing. PCB concentrations were 165 and 102 ppb. (MTRL is 5.3 ppb). Chlordane result was 26.2 ppb. MTLR is 8.0 ppb. RB may request TSMP to schedule monitoring before next listing cycle.	
Stampede Reservoir	Pesticides (lindane)	Delist because original listing was based on limited data Only one data point was available during 1989 listing. WQO for lindane is 2.5 ug/kg and original sample result was 2.6 ug/kg. Place on Watch List for additional monitoring.	Delist because original listing was based on limited data Only one data point was available during 1989 listing. WQO for lindane is 2.5 ug/kg and original sample result was 2.6 ug/kg. Place on Watch List for additional monitoring.	
9 naturally impaired waters	Salinity, metals, arsenic	Delist due to natural causes of impairments. Basin Plan amendments for 9 waters to remove MUN use have been approved by SWRCB. Use attainability analysis has been prepared by RWQCB.	Delist due to natural causes of impairments. Basin Plan amendments for 9 waters to remove MUN use have been approved by SWRCB. Use attainability analysis has been prepared by RWQCB.	
Upper Alkali Lake	Salinity, TDS, Chlorides	Delist because exceedence of standards is due to natural causes. TMDL is not applicable.	Delist because exceedence of standards is due to natural causes. TMDL is not applicable.	

Water Body	Pollutant/Medium /Beneficial Use	RWQCB Recommendation	SWRCB Recommendation	Priority
Middle Alkali Lake	Salinity, TDS, Chlorides	Delist because exceedence of standards is due to natural causes. TMDL is not applicable.	Delist because exceedence of standards is due to natural causes. TMDL is not applicable.	
Lower Alkali Lake	Salinity, TDS, Chlorides	Delist because exceedence of standards is due to natural causes. TMDL is not applicable.	Delist because exceedence of standards is due to natural causes. TMDL is not applicable.	
Top Spring	Radiation	Delist because exceedence of standards is due to natural causes. TMDL is not applicable.	Delist because exceedence of standards is due to natural causes. TMDL is not applicable.	
Snow Creek	Habitat Alterations	Delist due to implementation of a wetland/riparian restoration program that included removal of fill material, restoration of the stream channel, revegetation, and installation of culverts to allow fish passage and reduce highway flooding.	Delist due to implementation of a wetland/riparian restoration program that included removal of fill material, restoration of the stream channel, revegetation, and installation of culverts to allow fish passage and reduce highway flooding.	
East Fork Carson River	Nutrients	Delist based on faulty data used in original listing, and current data that shows that no impairment of beneficial uses.	Delist based on faulty data used in original listing, and current data that shows that no impairment of beneficial uses.	
East Walker River	Metals	Delist because original listing was based on inappropriate use of EDLs as WQOs. EDLs are Elevated Data Levels that are the 85th and 95th percentiles of all data collected, and are not WQOs.	Delist because original listing was based on inappropriate use of EDLs as WQOs. EDLs are Elevated Data Levels that are the 85th and 95th percentiles of all data collected, and are not WQOs.	

Water Body	Pollutant/Medium /Beneficial Use	RWQCB Recommendation	SWRCB Recommendation	Priority
Mono Lake	Salinity, TDS, Chlorides	Delist because high concentrations of salts and trace elements are from natural sources. SWRCB Decision 1631 establishes conditions to control lake level and salt concentrations.	Salt concentrations are not solely due to natural causes. Fifty years of water diversions caused a 45 foot drop in lake level, which caused increases in salt concentrations above those caused by natural sources. SWRCB Decision 1631 established a restored lake level of 6391 feet to meet water quality standards and to restore habitat; however the time required to achieve this level is dependent on long-term precipitation conditions which cannot be controlled. Decision 1631 anticipated at least 20 years before the restoration of the lake level could be expected. Because Mono Lake is designated as an Outstanding National Resource Water under the CWA, recommend retaining listing until lake level, currently at 6382.8 feet, achieves the restoration level of 6391 feet.	
Grant Lake	Arsenic	Delist due to natural causes. Beneficial uses are drinking water supply for City of Los Angeles and fish consumption. Water is blended in order to meet current drinking water standard at the tap. 1991 TSMP data showed no exceedences of fish consumption criteria.	Delist due to natural causes. Beneficial uses are drinking water supply for City of Los Angeles and fish consumption. Water is blended in order to meet current drinking water standard at the tap. 1991 TSMP data showed no exceedences of fish consumption criteria.	

Water Body	Pollutant/Medium /Beneficial Use	RWQCB Recommendation	SWRCB Recommendation	Priority
Big Springs	Arsenic	Delist due to natural causes. Beneficial use is drinking water supply for City of Los Angeles Arsenic is removed from this water supply before delivery for use.	Delist due to natural causes. Beneficial use is drinking water supply for City of Los Angeles Arsenic is removed from this water supply before delivery for use.	
Crowley Lake	Arsenic	Delist due to natural causes. Beneficial use is drinking water supply for City of Los Angeles Arsenic is removed from this water supply before delivery for use.	Delist due to natural causes. Beneficial use is drinking water supply for City of Los Angeles Arsenic is removed from this water supply before delivery for use.	
Tinemaha Reservoir	Arsenic	Delist due to natural causes. Beneficial use is drinking water supply for City of Los Angeles Arsenic is removed from this water supply before delivery for use.	Delist due to natural causes. Beneficial use is drinking water supply for City of Los Angeles Arsenic is removed from this water supply before delivery for use.	
Owens River	Arsenic	Delist due to natural causes. Beneficial use is drinking water supply for City of Los Angeles Arsenic is removed from this water supply before delivery for use.	Delist due to natural causes. Beneficial use is drinking water supply for City of Los Angeles Arsenic is removed from this water supply before delivery for use.	
Owens Lake	Salinity, TDS, Chlorides	Delist due to natural sources of salts and trace elements. Except for a few inches of water used to wet the dry lakebed to reduce particulate air pollution, no water remains. Not a drinking water supply.	Delist due to natural sources of salts and trace elements. Except for a few inches of water used to wet the dry lakebed to reduce particulate air pollution, no water remains. Not a drinking water supply.	
Hot Creek	Metals	Delist due to natural sources of metals.	Delist due to natural sources of metals.	

Water Body	Pollutant/Medium /Beneficial Use	RWQCB Recommendation	SWRCB Recommendation	Priority
Mojave River	Priority Organics	Delist because pollutants were present in groundwater portion of this intermittent stream, and listings are limited to surface waters. Also a 1991USGS study showed that priority pollutants are no longer present in concentrations of concern in the area affected by the groundwater plume.	Delist because pollutants were present in groundwater portion of this intermittent stream, and listings are limited to surface waters. Also a 1991USGS study showed that priority pollutants are no longer present in concentrations of concern in the area affected by the groundwater plume.	
Searles Lake	Salinity, TDS, Chlorides	Delist because impairment resulting from salinity/TDS/chlorides is from natural sources, and the lake is supporting aquatic life uses to the extent possible under extreme environmental conditions.	Insufficient information to Delist. No monitoring data provided to show that discharges of brine from IMCC do not elevate brine concentration above already high natural levels. Factsheet states that, Most of the surface water currently on the lakebed is brine extracted from beneath the lakebed by IMCC and returned to the lakebed following the extraction of minerals. Insufficient information to show that waterfowl deaths are caused solely by petroleum hydrocarbons (see listing for petroleum hydrocarbons above) and not affected by elevated brine levels.	

Region 6

Searles Lake

Water Body	Searles Lake
Stressor/Media/Beneficial Use	Petroleum Hydrocarbons
Extent to which data quality requirements are met	QA procedures used for sampling. Numerous (at least 13) observations of visible oil on Lake waters, banks, channels and ponds. Over 150 dead waterfowl collected by CDFG. Waterfowl encrusted with brine and oil. Oil found in internal organs of waterfowl.
Linkage between measurement endpoint and benefical use or standard	Yes
Utility of measure for judging if standards or uses are not attained	Measurement can be compared to WQO directly.
Water Body-specific Information	13 site inspections by Regional Board staff between February and June, 2000.
Data used to assess water quality	Visible oil observed. Sample collected showed 156,000 ppm TPH.
Spatial representation	Visible oil observed at numerous locations
Temporal representation	Visible oil observed on more than 13 occasions during a 5-month period.
Data type	13 site inspections by Regional Board staff between February and June, 2000. Visible oil observed. Sample collected showed 156,000 ppm TPH.
Use of standard method	Yes for one sample collected
Source(s) of Pollutant	No. Source is IMCC Chemical mineral extraction operation.
Alternative Enforceable Program	CAO's from RWQCB and CDFG.
Regional Board Recommendation	List
SWRCB Staff Recommendation	List
TMDL Priority	

Region 6

Blackwood Creek (tributary to Lake Tahoe)

Water Body	Blackwood Creek (tributary to Lake Tahoe)
Stressor/Media/Beneficial Use	Nitrogen NOAA AQUATICS
Extent to which data quality requirements are met	QA procedures used
Linkage between measurement endpoint and benefical use or standard	Yes
Utility of measure for judging if standards or uses are not attained	Measurement can be compared to WQO directly.
Water Body-specific Information	Samples collected from creek mouth between 1989-1996 by Lake Tahoe Interagency Monitoring Program.
Data used to assess water quality	Violations of WQO for total Nitrogen (0.19 mg/L annual mean) in 6 of 8 water years
Spatial representation	Samples collected from creek mouth
Temporal representation	Samples collected between 1989-1996
Data type	WQO and water column chemistry data are numeric values
Use of standard method	Yes
Source(s) of Pollutant	No. Sources are atmospheric deposition, erosion, stormwater
Alternative Enforceable Program	No
Regional Board Recommendation	List
SWRCB Staff Recommendation	List
TMDL Priority	

Region 6

Blackwood Creek (tributary to Lake Tahoe)

Water Body	Blackwood Creek (tributary to Lake Tahoe)
Stressor/Media/Beneficial Use	Phosphorus
Extent to which data quality requirements are met	QA procedures used
Linkage between measurement endpoint and benefical use or standard	Yes
Utility of measure for judging if standards or uses are not attained	Measurement can be compared to WQO directly.
Water Body-specific Information	Samples collected from creek mouth between 1989-1996 by Lake Tahoe Interagency Monitoring Program.
Data used to assess water quality	Violations of WQO for total P in 15 of 17 water years from 1980-1996.
Spatial representation	Samples collected from creek mouth
Temporal representation	Samples collected between 1989-1996
Data type	WQO and water column chemistry data are numeric values
Use of standard method	Yes
Source(s) of Pollutant	No. Erosion from severely disturbed areas (logging, gravel mining), atm. deposition, stormwater, forest fire.
Alternative Enforceable Program	No
Regional Board Recommendation	List
SWRCB Staff Recommendation	List
TMDL Priority	

Region 6

Blackwood Creek (tributary to Lake Tahoe)

Water Body	Blackwood Creek (tributary to Lake Tahoe)
Stressor/Media/Beneficial Use	Iron (plant nutrient)
Extent to which data quality requirements are met	QA procedures used
Linkage between measurement endpoint and benefical use or standard	Yes
Utility of measure for judging if standards or uses are not attained	Measurement can be compared to WQO directly.
Water Body-specific Information	Samples collected from creek mouth between 1989-1996 by Lake Tahoe Interagency Monitoring Program.
Data used to assess water quality	Violations of WQO for total iron in 8 of 8 water years, from 1989-1996.
Spatial representation	Samples collected from creek mouth
Temporal representation	Samples collected between 1989-1996
Data type	WQO and water column chemistry data are numeric values
Use of standard method	Yes
Source(s) of Pollutant	No. Erosion from severely disturbed areas (logging, gravel mining)
Alternative Enforceable Program	No
Regional Board Recommendation	List
SWRCB Staff Recommendation	List
TMDL Priority	

Region 6

Heavenly Valley Creek between USFS boundary and confluence with

Water Body	Heavenly Valley Creek between USFS boundary and confluence wit
Stressor/Media/Beneficial Use	Sediment
Extent to which data quality requirements are met	No data for this reach. Listing based on information from upper reach, for which a TMDL has been completed.
Linkage between measurement endpoint and benefical use or standard	No data for this reach. Listing based on information from upper reach, for which a TMDL has been completed.
Utility of measure for judging if standards or uses are not attained	No data for this reach. Listing based on information from upper reach, for which a TMDL has been completed.
Water Body-specific Information	No data for this reach. Listing based on information from upper reach, for which a TMDL has been completed.
Data used to assess water quality	No data for this reach. Listing based on information from upper reach, for which a TMDL has been completed.
Spatial representation	No data for this reach. Listing based on information from upper reach, for which a TMDL has been completed.
Temporal representation	Nc data for this reach. Listing based on information from upper reach, for which a TMDL has been completed.
Data type	No data for this reach. Listing based on information from upper reach, for which a TMDL has been completed.
Use of standard method	No data for this reach. Listing based on information from upper reach, for which a TMDL has been completed.
Source(s) of Pollutant	No. Source is erosion from upstream developments.
Alternative Enforceable Program	Land use planning, TRPA
Regional Board Recommendation	List
SWRCB Staff Recommendation	List
TMDL Priority	

Region 6

Heavenly Valley Creek

Water Body	Heavenly Valley Creek
Stressor/Media/Beneficial Use	Chloride
Extent to which data quality requirements are met	QA procedures used
Linkage between measurement endpoint and benefical use or standard	Yes
Utility of measure for judging if standards or uses are not attained	Measurement can be compared to WQO directly.
Water Body-specific Information	Data collected between 1997-2001 by USFS.
Data used to assess water quality	Annual means of samples collected from 6 sites all exceeded standard, 0.15 mg/L annual mean'
Spatial representation	Samples collected from 6 sites
Temporal representation	Annual means of samples
Data type	WQO and water column chemistry data are numeric values
Use of standard method	Yes
Source(s) of Pollutant	Yes. Mostly natural background, other sources may be road salt, atm. Deposition
Alternative Enforceable Program	Ongoing NPS control program. Revise WQO.
Regional Board Recommendation	List
SWRCB Staff Recommendation	Watch list, due to major source believed to be of natural origin. Revise WQO.
TMDL Priority	

Region 6

Heavenly Valley Creek, within USFS boundary

Water Body	Heavenly Valley Creek, within USFS boundary
Stressor/Media/Beneficial Use	Phosphorus
Extent to which data quality requirements are met	QA procedures used
Linkage between measurement endpoint and benefical use or standard	Yes
Utility of measure for judging if standards or uses are not attained	Measurement can be directly compared to WQO
Water Body-specific Information	Data collected between 1997-2001 by USFS.
Data used to assess water quality	Annual means of samples collected from 6 sites all exceeded standard, 0.015 mg/L annual mean.
Spatial representation	Data collected from 6 sites.
Temporal representation	Annual means of samples.
Data type	WQO and water column chemistry data are numeric values
Use of standard method	Yes
Source(s) of Pollutant	~~Yes.~~ Natural geologic sources. Other sources may be atm. deposition, erosion from disturbed areas.
Alternative Enforceable Program	Coordination with TMDL for Trout Creek
Regional Board Recommendation	List
SWRCB Staff Recommendation	Watch list, due to major source believed to be of natural origin
TMDL Priority	

Region 6

Unnamed creek (aka Hidden Valley Creek)

Water Body	Unnamed creek (aka Hidden Valley Creek)
Stressor/Media/Beneficial Use	Chloride
Extent to which data quality requirements are met	QA procedures used
Linkage between measurement endpoint and benefical use or standard	Yes
Utility of measure for judging if standards or uses are not attained	Measurement can be directly compared to WQO
Water Body-specific Information	Data collected in 1997-98.
Data used to assess water quality	Annual means for both years exceed the WQO (0.15 mg/L annual mean)
Spatial representation	Targeted in water body. Locations unknown.
Temporal representation	Annual means for both years
Data type	WQO and water column chemistry data are numeric values
Use of standard method	Yes
Source(s) of Pollutant	Yes. Natural geologic sources. Other sources may be atm. deposition, erosion from disturbed areas.
Alternative Enforceable Program	Revise WQO
Regional Board Recommendation	List
SWRCB Staff Recommendation	Watch list, due to major source believed to be of natural origin. Revise WQO.
TMDL Priority	

Region 6

Unnamed creek (aka Hidden Valley Creek)

Water Body	Unnamed creek (aka Hidden Valley Creek)
Stressor/Media/Beneficial Use	Phosphorus
Extent to which data quality requirements are met	QA procedures used
Linkage between measurement endpoint and benefical use or standard	Yes
Utility of measure for judging if standards or uses are not attained	Measurement can be directly compared to WQO
Water Body-specific Information	Data collected in 1997-98.
Data used to assess water quality	Annual means for both years exceed the WQO (0.015 mg/L annual mean)
Spatial representation	Targeted in water body. Locations unknown.
Temporal representation	Annual means for 2 years
Data type	WQO and water column chemistry data are numeric values
Use of standard method	Yes
Source(s) of Pollutant	Yes. Natural background sources.
Alternative Enforceable Program	Coordination with TMDL for Trout Creek
Regional Board Recommendation	List
SWRCB Staff Recommendation	Watch list, due to major source believed to be of natural origin
TMDL Priority	

Region 6

General Creek (tributary to Lake Tahoe)

Water Body	General Creek (tributary to Lake Tahoe)
Stressor/Media/Beneficial Use	Phosphorus
Extent to which data quality requirements are met	QA procedures used
Linkage between measurement endpoint and benefical use or standard	Yes
Utility of measure for judging if standards or uses are not attained	Measurement can be directly compared to WQO
Water Body-specific Information	Data collected in 1981-96.
Data used to assess water quality	Annual means for 12 of 16 water years exceed the WQO (0.015 mg/L annual mean)
Spatial representation	Targeted in water body. Locations unknown.
Temporal representation	Annual means for 12 of 16 water years
Data type	WQO and water column chemistry data are numeric values
Use of standard method	Yes
Source(s) of Pollutant	No. Major sources from erosion, atm deposition, stormwater
Alternative Enforceable Program	Lake Tahoe TMDL
Regional Board Recommendation	List
SWRCB Staff Recommendation	List
TMDL Priority	

Region 6

General Creek (tributary to Lake Tahoe)

Water Body	General Creek (tributary to Lake Tahoe)
Stressor/Media/Beneficial Use	Iron (plant nutrient)
Extent to which data quality requirements are met	QA procedures used
Linkage between measurement endpoint and benefical use or standard	Yes
Utility of measure for judging if standards or uses are not attained	Measurement can be directly compared to WQO
Water Body-specific Information	Data collected in 1989-96.
Data used to assess water quality	Annual means for 8 of 8 water years exceed the WQO (0.03 mg/L annual mean)
Spatial representation	Targeted in water body. Locations unknown.
Temporal representation	Annual means for 8 of 8 water years
Data type	WQO and water column chemistry data are numeric values
Use of standard method	Yes
Source(s) of Pollutant	No. Major sources from erosion, stormwater
Alternative Enforceable Program	Revise WQO
Regional Board Recommendation	List
SWRCB Staff Recommendation	List
TMDL Priority	

Region 6

Upper Truckee River (tributary to Lake Tahoe)

Water Body	Upper Truckee River (tributary to Lake Tahoe)
Stressor/Media/Beneficial Use	Phosphorus
Extent to which data quality requirements are met	QA procedures used
Linkage between measurement endpoint and benefical use or standard	Yes
Utility of measure for judging if standards or uses are not attained	Measurement can be directly compared to WQO
Water Body-specific Information	Data collected in 1980-96.
Data used to assess water quality	Annual means for 17 of 17 water years exceed the WQO (0.015 mg/L annual mean)
Spatial representation	Targeted in water body. Locations unknown.
Temporal representation	Annual means for 17 of 17 water years
Data type	WQO and water column chemistry data are numeric values
Use of standard method	Yes
Source(s) of Pollutant	No. Erosion, fertilizer use, stormwater
Alternative Enforceable Program	Lake Tahoe TMDL
Regional Board Recommendation	List
SWRCB Staff Recommendation	List
TMDL Priority	

Region 6

Upper Truckee River (tributary to Lake Tahoe)

Water Body	Upper Truckee River (tributary to Lake Tahoe)
Stressor/Media/Beneficial Use	Iron (plant nutrient)
Extent to which data quality requirements are met	QA procedures used
Linkage between measurement endpoint and benefical use or standard	Yes
Utility of measure for judging if standards or uses are not attained	Measurement can be directly compared to WQO
Water Body-specific Information	Data collected in 1989-96.
Data used to assess water quality	Annual means for 8 of 8 water years exceed the WQO (0.03 mg/L annual mean)
Spatial representation	Targeted in water body. Locations unknown.
Temporal representation	Annual means for 8 of 8 water years
Data type	WQO and water column chemistry data are numeric values
Use of standard method	Yes
Source(s) of Pollutant	Natural background, increased loading due to land disturbance, stormwater.
Alternative Enforceable Program	Revise WQO
Regional Board Recommendation	List
SWRCB Staff Recommendation	List
TMDL Priority	

Region 6

Upper Truckee River (trib to Lake Tahoe)

Water Body	Upper Truckee River (trib to Lake Tahoe)
Stressor/Media/Beneficial Use	Pathogens
Extent to which data quality requirements are met	QA procedures used
Linkage between measurement endpoint and benefical use or standard	Yes
Utility of measure for judging if standards or uses are not attained	Measurement can be directly compared to WQO
Water Body-specific Information	Data collected in 1999-2001
Data used to assess water quality	Violations of WQO observed in July, August and Sept. 2001, during grazing season. (WQO = 20/100ml log mean during any 30-day period or not more than 10% of samples to exceed 40/100 ml in any 30-day period.)
Spatial representation	Violations of WQO observed at 2 stations in 2000 at end of grazing season.
Temporal representation	Violations of WQO observed in July, August and Sept. 2001, during grazing season.
Data type	WQO and fecal coliform counts are numeric information.
Use of standard method	Yes
Source(s) of Pollutant	No. Waste from livestock grazing believed to be primary source.
Alternative Enforceable Program	USFS Grazing management plan
Regional Board Recommendation	List
SWRCB Staff Recommendation	List
TMDL Priority	

Region 6

Big Meadow Creek (trib to lake Tahoe)

Water Body	Big Meadow Creek (trib to lake Tahoe)
Stressor/Media/Beneficial Use	Pathogens
Extent to which data quality requirements are met	QA procedures used
Linkage between measurement endpoint and benefical use or standard	Yes
Utility of measure for judging if standards or uses are not attained	Measurement can be directly compared to WQO
Water Body-specific Information	Data collected in 1999-2000.
Data used to assess water quality	Violations of standard (20/100ml log mean during any 30-day period or not more than 10% of samples to exceed 40/100 ml in any 30-day period.) were common (50-70% of samples) during grazing season. They were less common (0-9% of samples) during non-grazing season.
Spatial representation	Targeted in water body. Locations unknown.
Temporal representation	Data collected in 1999-2000. WQO is log mean not to exceed 20/100 ml during any 30-day period, or not more than 10% of samples to exceed 40/100 ml in any 30-day period.
Data type	WQO and fecal coliform counts are numeric information.
Use of standard method	Yes
Source(s) of Pollutant	No. Waste from livestock grazing believed to be primary source.
Alternative Enforceable Program	USFS Grazing management plan
Regional Board Recommendation	List
SWRCB Staff Recommendation	List
TMDL Priority	

Region 6

Trout Creek(trib. to Lake Tahoe)

Water Body	Trout Creek(trib. to Lake Tahoe)
Stressor/Media/Beneficial Use	Phosphorus
Extent to which data quality requirements are met	QA procedures used
Linkage between measurement endpoint and benefical use or standard	Yes
Utility of measure for judging if standards or uses are not attained	Measurement can be directly compared to WQO
Water Body-specific Information	Data collected between 1980-96.
Data used to assess water quality	Annual means for 14 of 14 water years exceed the WQO (0.015 mg/L annual mean)
Spatial representation	Targeted in water body. Locations unknown.
Temporal representation	Annual means for 14 of 14 water years
Data type	WQO and water column chemistry data are numeric values
Use of standard method	Yes
Source(s) of Pollutant	No. Sources are erosion, stormwater, atm. Deposition due to wetland and riparian disturbance.
Alternative Enforceable Program	Lake Tahoe TMDL
Regional Board Recommendation	List
SWRCB Staff Recommendation	List
TMDL Priority	

Region 6

Trout Creek(trib. to Lake Tahoe)

Water Body	Trout Creek(trib. to Lake Tahoe)
Stressor/Media/Beneficial Use	Nitrogen
Extent to which data quality requirements are met	QA procedures used
Linkage between measurement endpoint and benefical use or standard	Yes
Utility of measure for judging if standards or uses are not attained	Measurement can be directly compared to WQO
Water Body-specific Information	Data collected between 1989-96.
Data used to assess water quality	Annual means for 6 of 8 water years exceed the WQO (0.19 mg/L annual mean)
Spatial representation	Targeted in water body. Locations unknown.
Temporal representation	Annual means for 6 of 8 water years
Data type	WQO and water column chemistry data are numeric values
Use of standard method	Yes
Source(s) of Pollutant	Source are natural as well as anthropogenic, including atmospheric deposition, stormwater, fertilizer use, livestock grazing, septic systems, wastewater disposal to land.
Alternative Enforceable Program	Lake Tahoe TMDL
Regional Board Recommendation	List
SWRCB Staff Recommendation	List
TMDL Priority	

Region 6

Trout Creek(trib. to Lake Tahoe)

Water Body	Trout Creek(trib. to Lake Tahoe)
Stressor/Media/Beneficial Use	Iron (plant nutrient)
Extent to which data quality requirements are met	QA procedures used
Linkage between measurement endpoint and benefical use or standard	Yes
Utility of measure for judging if standards or uses are not attained	Measurement can be directly compared to WQO
Water Body-specific Information	Data collected between 1989-96.
Data used to assess water quality	Annual means for 8 of 8 water years exceed the WQO (0.03 mg/L annual mean)
Spatial representation	Targeted in water body. Locations unknown.
Temporal representation	Annual means for 8 of 8 water years
Data type	WQO and water column chemistry data are numeric values
Use of standard method	Yes
Source(s) of Pollutant	Natural loading has increased due to increased erosion and stormwater runoff due to land disturbance.
Alternative Enforceable Program	Revision of WQO
Regional Board Recommendation	List
SWRCB Staff Recommendation	List
TMDL Priority	

Region 6

Trout Creek(trib. to Lake Tahoe)

Water Body	Trout Creek(trib. to Lake Tahoe)
Stressor/Media/Beneficial Use	Pathogens
Extent to which data quality requirements are met	QA procedures used
Linkage between measurement endpoint and benefical use or standard	Yes
Utility of measure for judging if standards or uses are not attained	Measurement can be directly compared to WQO
Water Body-specific Information	Data collected between June-Sept, 2001
Data used to assess water quality	Data showed frequent violations of WQOs for fecal coliform bacteria.
Spatial representation	Targeted in water body. Locations unknown.
Temporal representation	Data collected between June-Sept, 2001
Data type	Fecal coliform counts are numeric information
Use of standard method	Yes
Source(s) of Pollutant	No. Livestock wastes are primary source.
Alternative Enforceable Program	No
Regional Board Recommendation	List
SWRCB Staff Recommendation	List
TMDL Priority	

Region 6

Tallac Creek (trib. To Lake Tahoe)

Water Body	Tallac Creek (trib. To Lake Tahoe)
Stressor/Media/Beneficial Use	Pathogens
Extent to which data quality requirements are met	*QA procedures used*
Linkage between measurement endpoint and benefical use or standard	Yes
Utility of measure for judging if standards or uses are not attained	Measurement can be directly compared to WQO
Water Body-specific Information	Data collected in 2001
Data used to assess water quality	Data collected in 2001 from 2 sampling stations showed 4 violations of the WQO at the downstream station.
Spatial representation	2 sampling stations
Temporal representation	Data collected in 2001
Data type	Fecal coliform counts are numeric information
Use of standard method	Yes
Source(s) of Pollutant	No. Livestock wastes are primary source.
Alternative Enforceable Program	No
Regional Board Recommendation	List
SWRCB Staff Recommendation	List
TMDL Priority	

Region 6

Ward Creek (trib. To Lake Tahoe)

Water Body	Ward Creek (trib. To Lake Tahoe)
Stressor/Media/Beneficial Use	Nitrogen
Extent to which data quality requirements are met	QA procedures used
Linkage between measurement endpoint and benefical use or standard	Yes
Utility of measure for judging if standards or uses are not attained	Measurement can be directly compared to WQO
Water Body-specific Information	Data collected between 1989-1996
Data used to assess water quality	Data exceeded WQO in 7 of 8 years
Spatial representation	Targeted in water body. Locations unknown.
Temporal representation	Data collected over 8 year period
Data type	Fecal coliform counts are numeric information
Use of standard method	Yes
Source(s) of Pollutant	Natural (nitrogen fixation) and anthropogenic (atm. deposition, erosion, stormwater)
Alternative Enforceable Program	Lake Tahoe TMDL
Regional Board Recommendation	List
SWRCB Staff Recommendation	List
TMDL Priority	

Region 6

Ward Creek (trib. To Lake Tahoe)

Water Body	Ward Creek (trib. To Lake Tahoe)
Stressor/Media/Beneficial Use	Phosphorus
Extent to which data quality requirements are met	QA procedures used
Linkage between measurement endpoint and benefical use or standard	Yes
Utility of measure for judging if standards or uses are not attained	*Measurement can be directly compared to WQO*
Water Body-specific Information	Data collected between 1980-96.
Data used to assess water quality	Annual means for 15 of 17 water years exceed the WQO (0.015 mg/L annual mean)
Spatial representation	Targeted in water body. Locations unknown.
Temporal representation	Annual means for 17 water years
Data type	WQO and water column chemistry data are numeric values
Use of standard method	Yes
Source(s) of Pollutant	No.
Alternative Enforceable Program	Lake Tahoe TMDL
Regional Board Recommendation	List
SWRCB Staff Recommendation	List
TMDL Priority	

Region 6

Ward Creek (trib. To Lake Tahoe)

Water Body	Ward Creek (trib. To Lake Tahoe)
Stressor/Media/Beneficial Use	Iron (plant nutrient)
Extent to which data quality requirements are met	QA procedures used
Linkage between measurement endpoint and benefical use or standard	Yes
Utility of measure for judging if standards or uses are not attained	Measurement can be directly compared to WQO
Water Body-specific Information	Data collected between 1989-96.
Data used to assess water quality	Annual means for 8 of 8 water years exceed the WQO (0.03 mg/L annual mean)
Spatial representation	Targeted in water body. Locations unknown.
Temporal representation	Annual means for 8 water years
Data type	WQO and water column chemistry data are numeric values
Use of standard method	Yes
Source(s) of Pollutant	Iron is naturally present in soil, but loading has increased due to erosion from land disturbance.
Alternative Enforceable Program	Revise WQO
Regional Board Recommendation	List
SWRCB Staff Recommendation	List
TMDL Priority	

Region 6

West Fork Carson River, Headwaters to Woodfords

Water Body	West Fork Carson River, Headwaters to Woodfords
Stressor/Media/Beneficial Use	Phosphorus
Extent to which data quality requirements are met	QA procedures used
Linkage between measurement endpoint and benefical use or standard	Yes
Utility of measure for judging if standards or uses are not attained	Measurement can be directly compared to WQO
Water Body-specific Information	Data collected between 1997-2001
Data used to assess water quality	The WQO is 0.02 mg/L (annual mean of monthly means). Data collected between 1997-2001 showed the following values: 1997=0.09 mg/L; 1998=0.03 mg/L; 1999=0.02 mg/L; 2000=0.03 mg/L
Spatial representation	Targeted in water body. Locations unknown.
Temporal representation	Annual mean of monthly means
Data type	WQO and water column chemistry data are numeric values
Use of standard method	Yes
Source(s) of Pollutant	No. Sources are erosion, stormwater, atm. deposition.
Alternative Enforceable Program	Revise WQO
Regional Board Recommendation	List
SWRCB Staff Recommendation	List, Revise WQO
TMDL Priority	

Region 6

West Fork Carson River, Headwaters to Woodfords

Water Body	West Fork Carson River, Headwaters to Woodfords
Stressor/Media/Beneficial Use	Nitrogen
Extent to which data quality requirements are met	QA procedures used
Linkage between measurement endpoint and benefical use or standard	Yes
Utility of measure for judging if standards or uses are not attained	Measurement can be directly compared to WQO
Water Body-specific Information	Data collected between 1981-2000
Data used to assess water quality	Data exceeded the objectives for total Kjeldahl nitrogen (0.13 mg/L mean of monthly means), nitrate (0.02 mg/L mean of monthly means), and total nitrogen (0.15 mg/L mean of monthly means).
Spatial representation	Targeted in water body. Locations unknown.
Temporal representation	Mean of monthly means.
Data type	WQO and water column chemistry data are numeric values
Use of standard method	Yes
Source(s) of Pollutant	Sources may be septic systems, erosion, stormwater, historic livestock grazing, and natural nitrogen fixation.
Alternative Enforceable Program	None
Regional Board Recommendation	List
SWRCB Staff Recommendation	List
TMDL Priority	

Region 6

West Fork Carson River, Headwaters to Woodfords

Water Body	West Fork Carson River, Headwaters to Woodfords
Stressor/Media/Beneficial Use	Percent sodium
Extent to which data quality requirements are met	QA procedures used
Linkage between measurement endpoint and benefical use or standard	Yes
Utility of measure for judging if standards or uses are not attained	Measurement can be directly compared to WQO
Water Body-specific Information	Data collected in 2000
Data used to assess water quality	The WQO is 20% expressed as a mean of monthly means. Data collected in 2000 showed a mean of monthly means of 21.7%.
Spatial representation	Targeted in water body. Locations unknown.
Temporal representation	Mean of monthly means.
Data type	WQO and water column chemistry data are numeric values
Use of standard method	Yes
Source(s) of Pollutant	~~No.~~
Alternative Enforceable Program	Source controls. Revise current WQO to reflect current agricultural criterion of 30-60%
Regional Board Recommendation	List
SWRCB Staff Recommendation	List
TMDL Priority	

Region 6

West Fork Carson River, Woodfords to Paynesville

Water Body	West Fork Carson River, Woodfords to Paynesville
Stressor/Media/Beneficial Use	Percent sodium
Extent to which data quality requirements are met	QA procedures used
Linkage between measurement endpoint and benefical use or standard	Yes
Utility of measure for judging if standards or uses are not attained	Measurement can be directly compared to WQO
Water Body-specific Information	Data collected in 2000
Data used to assess water quality	The WQO is 20% expressed as a mean of monthly means. Data collected in 2000 showed a mean of monthly means of 23%.
Spatial representation	Targeted in water body. Locations unknown.
Temporal representation	Mean of monthly means.
Data type	WQO and water column chemistry data are numeric values
Use of standard method	Yes
Source(s) of Pollutant	No
Alternative Enforceable Program	Source controls. Revise current WQO to reflect current agricultural criterion of 30-60%
Regional Board Recommendation	List
SWRCB Staff Recommendation	List
TMDL Priority	

Region 6

West Fork Carson River, Woodfords to Paynesville

Water Body	West Fork Carson River, Woodfords to Paynesville
Stressor/Media/Beneficial Use	Nitrogen
Extent to which data quality requirements are met	QA procedures used
Linkage between measurement endpoint and benefical use or standard	Yes
Utility of measure for judging if standards or uses are not attained	Measurement can be directly compared to WQO
Water Body-specific Information	Data collected between 1981-2000
Data used to assess water quality	Data exceeded the objectives for total nitrogen (0.25 mg/L mean of monthly means), and nitrate (0.03 mg/L mean of monthly means)
Spatial representation	Targeted in water body. Locations unknown.
Temporal representation	Mean of monthly means
Data type	WQO and water column chemistry data are numeric values
Use of standard method	Yes
Source(s) of Pollutant	No
Alternative Enforceable Program	None
Regional Board Recommendation	List
SWRCB Staff Recommendation	List
TMDL Priority	

Region 6

West Fork Carson River, Woodfords to Paynesville

Water Body	West Fork Carson River, Woodfords to Paynesville
Stressor/Media/Beneficial Use	Pathogens
Extent to which data quality requirements are met	QA procedures used
Linkage between measurement endpoint and benefical use or standard	Yes
Utility of measure for judging if standards or uses are not attained	Measurement can be directly compared to WQO
Water Body-specific Information	Data collected in 2000-2001
Data used to assess water quality	Data indicated violation of the fecal coliform WQO in four of ten months sampled. Numbers of total and fecal coliform bacteria were higher during the summer grazing season.
Spatial representation	Targeted in water body. Locations unknown.
Temporal representation	Ten months sampled.
Data type	Fecal coliform counts are numeric information
Use of standard method	Yes
Source(s) of Pollutant	Partially natural sources (i.e. wildlife). Primary source is believed to be livestock waste.
Alternative Enforceable Program	Implementation of BMPs as part of ongoing NPS program
Regional Board Recommendation	List
SWRCB Staff Recommendation	List
TMDL Priority	

Region 6

Monitor Creek

Water Body	Monitor Creek
Stressor/Media/Beneficial Use	Sulfate
Extent to which data quality requirements are met	Unknown
Linkage between measurement endpoint and benefical use or standard	Yes
Utility of measure for judging if standards or uses are not attained	Measurement can be directly compared to WQO
Water Body-specific Information	Data collected in 1990-1991
Data used to assess water quality	Data indicated an annual mean that exceeded 100mg/L with maximum values of 700- 800 mg/L. The WQO for sulfate is 4.0 mg/L as an annual mean.
Spatial representation	Targeted in water body. Locations unknown.
Temporal representation	Annual mean
Data type	WQO and water column chemistry data are numeric values
Use of standard method	Yes
Source(s) of Pollutant	No. Source is acid mine drainage.
Alternative Enforceable Program	CERCLA
Regional Board Recommendation	List
SWRCB Staff Recommendation	List
TMDL Priority	

Region 6

Monitor Creek

Water Body	Monitor Creek
Stressor/Media/Beneficial Use	TDS
Extent to which data quality requirements are met	Unknown
Linkage between measurement endpoint and benefical use or standard	Yes
Utility of measure for judging if standards or uses are not attained	Measurement can be directly compared to WQO
Water Body-specific Information	Data collected in 1990-1991
Data used to assess water quality	Data indicated an annual mean that exceeded 500mg/L at 4 of 7 sampling locations, with maximum values of 1000 mg/L at locations below mine tailings. The WQO for TDS is 80 mg/L as an annual mean.
Spatial representation	Targeted in water body. Locations unknown.
Temporal representation	Annual mean
Data type	WQO and water column chemistry data are numeric values
Use of standard method	Yes
Source(s) of Pollutant	No. Source is acid mine drainage.
Alternative Enforceable Program	CERCLA
Regional Board Recommendation	List
SWRCB Staff Recommendation	List
TMDL Priority	

Region 6

Indian Creek

Water Body	Indian Creek
Stressor/Media/Beneficial Use	Pathogens
Extent to which data quality requirements are met	QA procedures used
Linkage between measurement endpoint and benefical use or standard	Yes
Utility of measure for judging if standards or uses are not attained	*Measurement can be directly compared to WQO*
Water Body-specific Information	Samples collected between June 2000- May 2001
Data used to assess water quality	13 of 30 samples (43%) exceeded the WQO. The WQO requires that no more than 10% of samples exceed 40 colonies/100 ml.
Spatial representation	Targeted in water body. Locations unknown.
Temporal representation	June 2000- May 2001
Data type	WQO and water column chemistry data are numeric values
Use of standard method	Yes
Source(s) of Pollutant	~~No.~~ Fecal coliform counts were highest during grazing season.
Alternative Enforceable Program	Implementation of BMPs as part of ongoing NPS program
Regional Board Recommendation	List
SWRCB Staff Recommendation	List
TMDL Priority	

Region 6

East Walker River above Bridgeport Reservoir

Water Body	East Walker River above Bridgeport Reservoir
Stressor/Media/Beneficial Use	Pathogens
Extent to which data quality requirements are met	QA procedures used
Linkage between measurement endpoint and benefical use or standard	Yes
Utility of measure for judging if standards or uses are not attained	Measurement can be directly compared to WQO
Water Body-specific Information	Samples collected in 2000-2001
Data used to assess water quality	At least 8 of 17 samples (47%) exceeded 40 colonies/100 ml.. The WQO requires that no more than 10% of samples exceed 40 colonies/100 ml.
Spatial representation	Targeted in water body. Locations unknown.
Temporal representation	Samples collected 2000-2001
Data type	Fecal coliform counts are numeric information
Use of standard method	Yes
Source(s) of Pollutant	No. Fecal coliform counts were highest during grazing season.
Alternative Enforceable Program	Implementation of nutrient TMDL for Bridgeport Reservoir. implementation of BMPs as part of ongoing NPS program.
Regional Board Recommendation	List
SWRCB Staff Recommendation	List
TMDL Priority	

Region 6

East Walker River above Bridgeport Reservoir

Water Body	East Walker River above Bridgeport Reservoir
Stressor/Media/Beneficial Use	Nitrogen
Extent to which data quality requirements are met	QA procedures used
Linkage between measurement endpoint and benefical use or standard	Yes
Utility of measure for judging if standards or uses are not attained	Measurement can be directly compared to WQO
Water Body-specific Information	Samples collected from April 2000 - February 2001 by USGS.
Data used to assess water quality	The mean of 9 samples was 0.64 mg/L. This exceeds the WQO (0.50 mg/L annual mean). Three of 9 samples (33%) exceeded the 90th percentile value of 0.80 mg/L. The WQO requires that no more than 10% of samples exceed the 90th percentile value.
Spatial representation	Targeted in water body. Locations unknown.
Temporal representation	Samples collected April 2000 - February 2001
Data type	WQO and water column chemistry data are numeric values
Use of standard method	Yes
Source(s) of Pollutant	No
Alternative Enforceable Program	Implementation of Bridgeport Reservoir TMDLs. Revise WQO
Regional Board Recommendation	List
SWRCB Staff Recommendation	List
TMDL Priority	

Region 6

East Walker River below Bridgeport Reservoir

Water Body	East Walker River below Bridgeport Reservoir
Stressor/Media/Beneficial Use	Phosphorus
Extent to which data quality requirements are met	QA procedures used
Linkage between measurement endpoint and benefical use or standard	Yes
Utility of measure for judging if standards or uses are not attained	Measurement can be directly compared to WQO
Water Body-specific Information	Samples collected by USGS between April 2000-February 2001.
Data used to assess water quality	The mean of 11 samples was 0.083 mg/L. This exceeds the WQO of 0.06 mg/L (annual mean). Four of nine samples exceeded the 90th percentile value of 0.10 mg/L.
Spatial representation	Targeted in water body. Locations unknown.
Temporal representation	Annual mean
Data type	WQO and water column chemistry data are numeric values
Use of standard method	Yes
Source(s) of Pollutant	No
Alternative Enforceable Program	Implementation of Bridgeport Reservoir TMDLs.
Regional Board Recommendation	List
SWRCB Staff Recommendation	List
TMDL Priority	

Region 6

Virginia Creek

Water Body	Virginia Creek
Stressor/Media/Beneficial Use	Pathogens
Extent to which data quality requirements are met	QA procedures used
Linkage between measurement endpoint and benefical use or standard	Yes
Utility of measure for judging if standards or uses are not attained	Measurement can be directly compared to WQO
Water Body-specific Information	Data collected between April 2000- June 2001
Data used to assess water quality	At least 6 of 14 fecal coliform samples (43%) exceeded the WQO (no more than 10% of samples collected in any 30-day period shall exceed 40 /100 ml).
Spatial representation	Targeted in water body. Locations unknown.
Temporal representation	No more than 10% of samples collected in any 30-day period shall exceed 40 /100 ml.
Data type	Fecal coliform counts are numeric information
Use of standard method	Yes
Source(s) of Pollutant	No. High coliform counts coincide with months in which livestock are present.
Alternative Enforceable Program	Implementation of TMDLs for Bridgeport Reservoir. Implementation of BMPs as part of ongoing NPS program.
Regional Board Recommendation	List
SWRCB Staff Recommendation	List
TMDL Priority	

Region 6

Robinson Creek

Water Body	Robinson Creek
Stressor/Media/Beneficial Use	Pathogens
Extent to which data quality requirements are met	QA procedures used
Linkage between measurement endpoint and benefical use or standard	Yes
Utility of measure for judging if standards or uses are not attained	Measurement can be directly compared to WQO
Water Body-specific Information	Data collected between April 2000- June 2001.
Data used to assess water quality	At least 5 of 6 fecal coliform samples (83%) exceeded the WQO (no more than 10% of samples collected in any 30-day period shall exceed 40 /100 ml)..
Spatial representation	Targeted in water body. Locations unknown.
Temporal representation	No more than 10% of samples collected in any 30-day period shall exceed 40 /100 ml.
Data type	Fecal coliform counts are numeric information
Use of standard method	Yes
Source(s) of Pollutant	No. High coliform counts coincide with months in which livestock are present
Alternative Enforceable Program	Implementation of TMDLs for Bridgeport Reservoir. Implementation of BMPs as part of ongoing NPS program.
Regional Board Recommendation	List
SWRCB Staff Recommendation	List
TMDL Priority	

Region 6

Robinson Creek, Hwy 395 to Bridgeport Reservoir

Water Body	Robinson Creek, Hwy 395 to Bridgeport Reservoir
Stressor/Media/Beneficial Use	Nitrogen
Extent to which data quality requirements are met	QA procedures used
Linkage between measurement endpoint and benefical use or standard	Yes
Utility of measure for judging if standards or uses are not attained	Measurement can be directly compared to WQO
Water Body-specific Information	Data collected between January-June 2001.
Data used to assess water quality	1 of 6 (16.7%) samples exceeded the 90th percentile WQO of 0.80 mg/L. No more than 10% of samples are to exceed the 90th percentile WQO.
Spatial representation	Targeted in water body. Locations unknown.
Temporal representation	Data collected between January-June 2001.
Data type	WQO and water column chemistry data are numeric values
Use of standard method	Yes
Source(s) of Pollutant	No, give source
Alternative Enforceable Program	Implementation of TMDLs for Bridgeport Reservoir.
Regional Board Recommendation	List
SWRCB Staff Recommendation	Watch list, due to exceedence observed in single sample.
TMDL Priority	

Region 6

Buckeye Creek

Water Body	Buckeye Creek
Stressor/Media/Beneficial Use	Phosphorus
Extent to which data quality requirements are met	QA procedures used
Linkage between measurement endpoint and benefical use or standard	Yes
Utility of measure for judging if standards or uses are not attained	Measurement can be directly compared to WQO
Water Body-specific Information	Data collected in 2000-2001.
Data used to assess water quality	Annual mean values for 2000-2001 did not exceed annual mean WQO (0.06 mg/L). The annual means for 2000-2001 were 0.029 mg/L. One of 9 samples (11%) in 2000 exceeded the 90th percentile WQO. The WQO allows no more than 10% of samples to exceed the 90th percentile value.
Spatial representation	Targeted in water body. Locations unknown.
Temporal representation	Annual mean
Data type	WQO and water column chemistry data are numeric values
Use of standard method	Yes
Source(s) of Pollutant	Partially natural sources
Alternative Enforceable Program	Implementation of TMDLs for Bridgeport Reservoir.
Regional Board Recommendation	List
SWRCB Staff Recommendation	Watch list, due to exceedence observed in single sample.
TMDL Priority	

Region 6

Buckeye Creek

Water Body	Buckeye Creek
Stressor/Media/Beneficial Use	Pathogens
Extent to which data quality requirements are met	QA procedures used
Linkage between measurement endpoint and benefical use or standard	Yes
Utility of measure for judging if standards or uses are not attained	Measurement can be directly compared to WQO
Water Body-specific Information	Data collected from April 2000-June 2001.
Data used to assess water quality	At least 5 of 10 (50%), and at least 6 of 14 samples (43%) exceeded the 40/100 ml WQO.
Spatial representation	Targeted in water body. Locations unknown.
Temporal representation	Data collected from April 2000-June 2001
Data type	Fecal coliform counts are numeric information
Use of standard method	Yes
Source(s) of Pollutant	High bacterial counts coincide with months when livestock are present. Natural sources of bacteria may also occur.
Alternative Enforceable Program	Implementation of TMDLs for Bridgeport Reservoir. Implementation of BMPs as part of ongoing NPS program.
Regional Board Recommendation	List
SWRCB Staff Recommendation	List
TMDL Priority	

Region 6

Swauger Creek

Water Body	Swauger Creek
Stressor/Media/Beneficial Use	Phosphorus
Extent to which data quality requirements are met	QA procedures used
Linkage between measurement endpoint and benefical use or standard	Yes
Utility of measure for judging if standards or uses are not attained	Measurement can be directly compared to WQO
Water Body-specific Information	Data collected from 2000-2001
Data used to assess water quality	Data showed violations of the WQO (0.06 mg/L as an annual mean) in both years.
Spatial representation	Targeted in water body. Locations unknown.
Temporal representation	Annual mean.
Data type	WQO and water column chemistry data are numeric values
Use of standard method	Yes
Source(s) of Pollutant	Partially natural sources
Alternative Enforceable Program	Implementation of TMDLs for Bridgeport Reservoir.
Regional Board Recommendation	List
SWRCB Staff Recommendation	List
TMDL Priority	

Region 6

Swauger Creek

Water Body	Swauger Creek
Stressor/Media/Beneficial Use	Pathogens
Extent to which data quality requirements are met	QA procedures used
Linkage between measurement endpoint and benefical use or standard	Yes
Utility of measure for judging if standards or uses are not attained	Measurement can be directly compared to WQO
Water Body-specific Information	Data collected from March 2000- June 2001
Data used to assess water quality	Data exceeded the WQO (40/100 ml) in at least 5 of 16 samples (31%). The WQO allows no more than 10% of samples to exceed the 40/100 ml.
Spatial representation	Targeted in water body. Locations unknown.
Temporal representation	Data collected from March 2000- June 2001
Data type	Fecal coliform counts are numeric information
Use of standard method	Yes
Source(s) of Pollutant	Unknown
Alternative Enforceable Program	Implementation of TMDLs for Bridgeport Reservoir. Implementation of BMPs as part of ongoing NPS program.
Regional Board Recommendation	List
SWRCB Staff Recommendation	List
TMDL Priority	

Region 6

Mojave River between Upper and Lower Narrows

Water Body	Mojave River between Upper and Lower Narrows
Stressor/Media/Beneficial Use	TDS
Extent to which data quality requirements are met	QA procedures used
Linkage between measurement endpoint and benefical use or standard	Yes
Utility of measure for judging if standards or uses are not attained	Measurement can be directly compared to WQO
Water Body-specific Information	Samples collected between March 2000- June 2001.
Data used to assess water quality	5 of 5 samples collected exceeded the TDS MCL of 500 mg/L
Spatial representation	Targeted in water body. Locations unknown.
Temporal representation	Samples collected between March 2000- June 2001.
Data type	WQO and water column chemistry data are numeric values
Use of standard method	Yes
Source(s) of Pollutant	Unknown
Alternative Enforceable Program	Unknown
Regional Board Recommendation	RWQCB staff recommended listing. Board removed listing without explanation.
SWRCB Staff Recommendation	List
TMDL Priority	

Region 6

Mojave River between Upper and Lower Narrows

Water Body	Mojave River between Upper and Lower Narrows
Stressor/Media/Beneficial Use	Sulfate
Extent to which data quality requirements are met	QA procedures used
Linkage between measurement endpoint and benefical use or standard	Yes
Utility of measure for judging if standards or uses are not attained	Measurement can be directly compared to WQO
Water Body-specific Information	Samples collected between March 2000-June 2001.
Data used to assess water quality	4 of 5 (80%) samples exceeded the 90th percentile value of 100 mg/L. No more than 10% of samples are to exceed the 90th percentile value.
Spatial representation	Targeted in water body. Locations unknown.
Temporal representation	Samples collected between March 2000-June 2001.
Data type	WQO and water column chemistry data are numeric values
Use of standard method	Yes
Source(s) of Pollutant	No
Alternative Enforceable Program	No
Regional Board Recommendation	RWQCB staff recommended listing. Board removed listing without explanation.
SWRCB Staff Recommendation	List
TMDL Priority	

Region 6

Mojave River between Upper and Lower Narrows

Water Body	Mojave River between Upper and Lower Narrows
Stressor/Media/Beneficial Use	Chloride
Extent to which data quality requirements are met	QA procedures used
Linkage between measurement endpoint and benefical use or standard	Yes
Utility of measure for judging if standards or uses are not attained	Measurement can be directly compared to WQO
Water Body-specific Information	Samples collected between March 2000-June 2001.
Data used to assess water quality	5 of 5 samples exceeded the WQOs (75 mg/L annual mean; 100 mg/L 90th percentile value)
Spatial representation	Targeted in water body. Locations unknown.
Temporal representation	Samples collected between March 2000-June 2001.
Data type	WQO and water column chemistry data are numeric values
Use of standard method	Yes
Source(s) of Pollutant	No
Alternative Enforceable Program	No
Regional Board Recommendation	RWQCB staff recommended listing. Board removed listing without explanation.
SWRCB Staff Recommendation	List
TMDL Priority	

Region 6

Donner Lake

Water Body	Donner Lake
Stressor/Media/Beneficial Use	Priority Organics
Extent to which data quality requirements are met	TSMP uses QAPP
Linkage between measurement endpoint and benefical use or standard	Yes
Utility of measure for judging if standards or uses are not attained	Measurement can be directly compared to MTRL
Water Body-specific Information	Fish collected in Lake. Most recent TSMP data from 1991, 1993.
Data used to assess water quality	Two composite fish tissue samples (1991, 1993) showed PCB concentrations of 165 ppb and 102 ppb. The MTRL for PCBs is 5.3 ppb. MTRL for chlordane is 8.0 ppb. One fish tissue sample from 1991 showed a chlordane concentration of 26.2 ppb.
Spatial representation	Two composite fish tissue samples of 6-7 fish each.
Temporal representation	Data collected at various times since 1978. Most recently in 1991 and 1993.
Data type	Fish tissue data ND MTRLs are numeric values.
Use of standard method	Yes
Source(s) of Pollutant	~~No~~ give source
Alternative Enforceable Program	No
Regional Board Recommendation	Delist based on limited data used to list. No OEHHA advisory in effect. No recent data available.
SWRCB Staff Recommendation	maintain listing ~~Do not Delist~~. TSMP data is sufficient (two composite samples of 13 fish), and exceedances of WQO are large enough to maintain listing. PCB concentrations were 165 and 102 ppb. (MTRL is 5.3 ppb). Chlordane result was 26.2 ppb. MTLR is 8.0 ppb. RB may request TSMP to schedule monitoring before next listing cycle.
TMDL Priority	

Region 6

Stampede Reservoir

Water Body	Stampede Reservoir
Stressor/Media/Beneficial Use	Pesticides (lindane)
Extent to which data quality requirements are met	NA
Linkage between measurement endpoint and benefical use or standard	NA
Utility of measure for judging if standards or uses are not attained	NA
Water Body-specific Information	NA
Data used to assess water quality	NA
Spatial representation	NA
Temporal representation	NA
Data type	NA
Use of standard method	NA
Source(s) of Pollutant	NA
Alternative Enforceable Program	NA
Regional Board Recommendation	Delist because original listing was based on limited data Only one data point was available during 1989 listing. WQO for lindane is 2.5 ug/kg and original sample result was 2.6 ug/kg. Place on Watch List for additional monitoring.
SWRCB Staff Recommendation	Delist because original listing was based on limited data Only one data point was available during 1989 listing. WQO for lindane is 2.5 ug/kg and original sample result was 2.6 ug/kg. Place on Watch List for additional monitoring.
TMDL Priority	

Region 6

9 naturally impaired waters

give names of waters

Water Body	9 naturally impaired waters
Stressor/Media/Beneficial Use	Salinity, metals, arsenic
Extent to which data quality requirements are met	NA
Linkage between measurement endpoint and benefical use or standard	NA
Utility of measure for judging if standards or uses are not attained	NA
Water Body-specific Information	NA
Data used to assess water quality	NA
Spatial representation	NA
Temporal representation	NA
Data type	NA
Use of standard method	NA
Source(s) of Pollutant	Yes
Alternative Enforceable Program	No
Regional Board Recommendation	Delist due to natural causes of impairments. Basin Plan amendments for 9 waters to remove MUN use have been approved by SWRCB. Use attainability analysis has been prepared by RWQCB.
SWRCB Staff Recommendation	Delist due to natural causes of impairments. Basin Plan amendments for 9 waters to remove MUN use have been approved by SWRCB. Use attainability analysis has been prepared by RWQCB.
TMDL Priority	

Region 6

Upper Alkali Lake

Water Body	Upper Alkali Lake
Stressor/Media/Beneficial Use	Salinity, TDS, Chlorides
Extent to which data quality requirements are met	NA
Linkage between measurement endpoint and benefical use or standard	NA
Utility of measure for judging if standards or uses are not attained	NA
Water Body-specific Information	NA
Data used to assess water quality	NA
Spatial representation	NA
Temporal representation	NA
Data type	NA
Use of standard method	NA
Source(s) of Pollutant	Yes. Input from geothermal springs and concentration by evaporation over geologic timescale.
Alternative Enforceable Program	No
Regional Board Recommendation	Delist because exceedence of standards is due to natural causes. TMDL is not applicable.
SWRCB Staff Recommendation	Delist because exceedence of standards is due to natural causes. TMDL is not applicable.
TMDL Priority	

Region 6

Middle Alkali Lake

Water Body	Middle Alkali Lake
Stressor/Media/Beneficial Use	Salinity, TDS, Chlorides
Extent to which data quality requirements are met	NA
Linkage between measurement endpoint and benefical use or standard	NA
Utility of measure for judging if standards or uses are not attained	NA
Water Body-specific Information	NA
Data used to assess water quality	NA
Spatial representation	NA
Temporal representation	NA
Data type	NA
Use of standard method	NA
Source(s) of Pollutant	Yes. Input from geothermal springs and concentration by evaporation over geologic timescale.
Alternative Enforceable Program	No
Regional Board Recommendation	Delist because exceedence of standards is due to natural causes. TMDL is not applicable.
SWRCB Staff Recommendation	Delist because exceedence of standards is due to natural causes. TMDL is not applicable.
TMDL Priority	

Region 6

Lower Alkali Lake

Water Body	Lower Alkali Lake
Stressor/Media/Beneficial Use	Salinity, TDS, Chlorides
Extent to which data quality requirements are met	NA
Linkage between measurement endpoint and benefical use or standard	NA
Utility of measure for judging if standards or uses are not attained	NA
Water Body-specific Information	NA
Data used to assess water quality	NA
Spatial representation	NA
Temporal representation	NA
Data type	NA
Use of standard method	NA
Source(s) of Pollutant	~~Yes.~~ Input from geothermal springs and concentration by evaporation over geologic timescale.
Alternative Enforceable Program	~~No~~
Regional Board Recommendation	Delist because exceedence of standards is due to natural causes. TMDL is not applicable.
SWRCB Staff Recommendation	Delist because exceedence of standards is due to natural causes. TMDL is not applicable.
TMDL Priority	

Region 6

Top Spring

Water Body	Top Spring
Stressor/Media/Beneficial Use	Radiation
Extent to which data quality requirements are met	NA
Linkage between measurement endpoint and benefical use or standard	NA
Utility of measure for judging if standards or uses are not attained	NA
Water Body-specific Information	NA
Data used to assess water quality	NA
Spatial representation	NA
Temporal representation	NA
Data type	NA
Use of standard method	NA
Source(s) of Pollutant	Yes. Natural source of radioactivity. Spring is contained within a pipe and is not used as a water supply.
Alternative Enforceable Program	No
Regional Board Recommendation	Delist because exceedence of standards is due to natural causes. TMDL is not applicable.
SWRCB Staff Recommendation	Delist because exceedence of standards is due to natural causes. TMDL is not applicable.
TMDL Priority	

Region 6

Snow Creek

Water Body	Snow Creek
Stressor/Media/Beneficial Use	Habitat Alterations
Extent to which data quality requirements are met	NA
Linkage between measurement endpoint and benefical use or standard	NA
Utility of measure for judging if standards or uses are not attained	NA
Water Body-specific Information	NA
Data used to assess water quality	NA
Spatial representation	NA
Temporal representation	NA
Data type	NA
Use of standard method	NA
Source(s) of Pollutant	No
Alternative Enforceable Program	Yes
Regional Board Recommendation	Delist due to implementation of a wetland/riparian restoration program that included removal of fill material, restoration of the stream channel, revegetation, and installation of culverts to allow fish passage and reduce highway flooding.
SWRCB Staff Recommendation	Delist due to implementation of a wetland/riparian restoration program that included removal of fill material, restoration of the stream channel, revegetation, and installation of culverts to allow fish passage and reduce highway flooding.
TMDL Priority	

Region 6

East Fork Carson River

Water Body	East Fork Carson River
Stressor/Media/Beneficial Use	Nutrients
Extent to which data quality requirements are met	QA procedures used for pH analysis
Linkage between measurement endpoint and benefical use or standard	Increases in pH can results from algal blooms, which result from high nutrient levels
Utility of measure for judging if standards or uses are not attained	Increases in pH can results from algal blooms, which result from high nutrient levels
Water Body-specific Information	pH data collected in Nevada, 12-13 miles downstream of state boundary.
Data used to assess water quality	24 laboratory measurements of pH taken between 1997-2001 showed no violations of the WQO for pH. 5 of 26 field measurements were slightly outside the WQO for pH. These deviations are not enough to affect beneficial uses.
Spatial representation	pH data collected in Nevada, 12-13 miles downstream of state boundary.
Temporal representation	24 laboratory measurements of pH taken between 1997-2001.
Data type	pH values are numeric
Use of standard method	yes for pH
Source(s) of Pollutant	NA
Alternative Enforceable Program	NA
Regional Board Recommendation	Delist based on faulty data used in original listing, and current data that shows that no impairment of beneficial uses.
SWRCB Staff Recommendation	Delist based on faulty data used in original listing, and current data that shows that no impairment of beneficial uses.
TMDL Priority	

Region 6

East Walker River

Water Body	East Walker River
Stressor/Media/Beneficial Use	Metals
Extent to which data quality requirements are met	NA
Linkage between measurement endpoint and benefical use or standard	NA
Utility of measure for judging if standards or uses are not attained	NA
Water Body-specific Information	NA
Data used to assess water quality	NA
Spatial representation	NA
Temporal representation	NA
Data type	NA
Use of standard method	NA
Source(s) of Pollutant	NA
Alternative Enforceable Program	NA
Regional Board Recommendation	Delist because original listing was based on inappropriate use of EDLs as WQOs. EDLs are Elevated Data Levels that are the 85th and 95th percentiles of all data collected, and are not WQOs.
SWRCB Staff Recommendation	Delist because original listing was based on inappropriate use of EDLs as WQOs. EDLs are Elevated Data Levels that are the 85th and 95th percentiles of all data collected, and are not WQOs.
TMDL Priority	

Region 6

Mono Lake

Water Body	Mono Lake
Stressor/Media/Beneficial Use	Salinity, TDS, Chlorides
Extent to which data quality requirements are met	NA
Linkage between measurement endpoint and benefical use or standard	NA
Utility of measure for judging if standards or uses are not attained	NA
Water Body-specific Information	NA
Data used to assess water quality	NA
Spatial representation	NA
Temporal representation	NA
Data type	NA
Use of standard method	NA
Source(s) of Pollutant	NA
Alternative Enforceable Program	SWRCB WR Decision 1631
Regional Board Recommendation	Delist because high concentrations of salts and trace elements are from natural sources. SWRCB Decision 1631 establishes conditions to control lake level and salt concentrations.
SWRCB Staff Recommendation	Salt concentrations are not solely due to natural causes. Fifty years of water diversions caused a 45 foot drop in lake level, which caused increases in salt concentrations above those caused by natural sources. SWRCB Decision 1631 established a restored lake level of 6391 feet to meet water quality standards and to restore habitat; however the time required to achieve this level is dependent on long-term precipitation conditions which cannot be controlled. Decision 1631 anticipated at least 20 years before the restoration of the lake level could be expected. Because Mono Lake is designated as an Outstanding National Resource Water under the CWA, recommend retaining listing until lake level, currently at 6382.8 feet, achieves the restoration level of 6391 feet.
TMDL Priority	

Region 6

Grant Lake

Water Body	Grant Lake
Stressor/Media/Beneficial Use	Arsenic
Extent to which data quality requirements are met	NA
Linkage between measurement endpoint and benefical use or standard	NA
Utility of measure for judging if standards or uses are not attained	NA
Water Body-specific Information	NA
Data used to assess water quality	NA
Spatial representation	NA
Temporal representation	NA
Data type	NA
Use of standard method	NA
Source(s) of Pollutant	Yes. Source is of volcanic origin, with no sources of industrial or agricultural discharges.
Alternative Enforceable Program	No
Regional Board Recommendation	Delist due to natural causes. Beneficial uses are drinking water supply for City of Los Angeles and fish consumption. Water is blended in order to meet current drinking water standard at the tap. 1991 TSMP data showed no exceedences of fish consumption criteria.
SWRCB Staff Recommendation	Delist due to natural causes. Beneficial uses are drinking water supply for City of Los Angeles and fish consumption. Water is blended in order to meet current drinking water standard at the tap. 1991 TSMP data showed no exceedences of fish consumption criteria.
TMDL Priority	

Region 6

Big Springs

Water Body	Big Springs
Stressor/Media/Beneficial Use	Arsenic
Extent to which data quality requirements are met	NA
Linkage between measurement endpoint and benefical use or standard	NA
Utility of measure for judging if standards or uses are not attained	NA
Water Body-specific Information	NA
Data used to assess water quality	NA
Spatial representation	NA
Temporal representation	NA
Data type	NA
Use of standard method	NA
Source(s) of Pollutant	~~Yes~~ Source is of volcanic origin, with no sources of industrial or agricultural discharges.
Alternative Enforceable Program	~~NA~~
Regional Board Recommendation	Delist due to natural causes. Beneficial use is drinking water supply for City of Los Angeles Arsenic is removed from this water supply before delivery for use.
SWRCB Staff Recommendation	Delist due to natural causes. Beneficial use is drinking water supply for City of Los Angeles Arsenic is removed from this water supply before delivery for use.
TMDL Priority	

Region 6

Crowley Lake

Water Body	Crowley Lake
Stressor/Media/Beneficial Use	Arsenic
Extent to which data quality requirements are met	NA
Linkage between measurement endpoint and benefical use or standard	NA
Utility of measure for judging if standards or uses are not attained	NA
Water Body-specific Information	NA
Data used to assess water quality	NA
Spatial representation	NA
Temporal representation	NA
Data type	NA
Use of standard method	NA
Source(s) of Pollutant	~~Yes.~~ Source is of volcanic origin, with no sources of industrial or agricultural discharges.
Alternative Enforceable Program	~~NA~~ OK
Regional Board Recommendation	Delist due to natural causes. Beneficial use is drinking water supply for City of Los Angeles Arsenic is removed from this water supply before delivery for use.
SWRCB Staff Recommendation	Delist due to natural causes. Beneficial use is drinking water supply for City of Los Angeles Arsenic is removed from this water supply before delivery for use.
TMDL Priority	

Region 6

Tinemaha Reservoir

Water Body	Tinemaha Reservoir
Stressor/Media/Beneficial Use	Arsenic
Extent to which data quality requirements are met	NA
Linkage between measurement endpoint and benefical use or standard	NA
Utility of measure for judging if standards or uses are not attained	NA
Water Body-specific Information	NA
Data used to assess water quality	NA
Spatial representation	NA
Temporal representation	NA
Data type	NA
Use of standard method	NA
Source(s) of Pollutant	Yes. Source is of volcanic origin, with no sources of industrial or agricultural discharges.
Alternative Enforceable Program	NA
Regional Board Recommendation	Delist due to natural causes. Beneficial use is drinking water supply for City of Los Angeles Arsenic is removed from this water supply before delivery for use.
SWRCB Staff Recommendation	Delist due to natural causes. Beneficial use is drinking water supply for City of Los Angeles Arsenic is removed from this water supply before delivery for use.
TMDL Priority	

Region 6

Owens River

Water Body	Owens River
Stressor/Media/Beneficial Use	Arsenic
Extent to which data quality requirements are met	NA
Linkage between measurement endpoint and benefical use or standard	NA
Utility of measure for judging if standards or uses are not attained	NA
Water Body-specific Information	NA
Data used to assess water quality	NA
Spatial representation	NA
Temporal representation	NA
Data type	NA
Use of standard method	NA
Source(s) of Pollutant	Yes. Source is of volcanic origin, with no sources of industrial or agricultural discharges.
Alternative Enforceable Program	NA
Regional Board Recommendation	Delist due to natural causes. Beneficial use is drinking water supply for City of Los Angeles Arsenic is removed from this water supply before delivery for use.
SWRCB Staff Recommendation	Delist due to natural causes. Beneficial use is drinking water supply for City of Los Angeles Arsenic is removed from this water supply before delivery for use.
TMDL Priority	

Region 6

Owens Lake

Water Body	Owens Lake
Stressor/Media/Beneficial Use	Salinity, TDS, Chlorides
Extent to which data quality requirements are met	NA
Linkage between measurement endpoint and benefical use or standard	NA
Utility of measure for judging if standards or uses are not attained	NA
Water Body-specific Information	NA
Data used to assess water quality	NA
Spatial representation	NA
Temporal representation	NA
Data type	NA
Use of standard method	NA
Source(s) of Pollutant	Owens Lake has accumulated salts and trace elements from volcanic and geothermal sources and from concentration caused by water diversions in a closed basin over geologic time.
Alternative Enforceable Program	NA
Regional Board Recommendation	Delist due to natural sources of salts and trace elements. Except for a few inches of water used to wet the dry lakebed to reduce particulate air pollution, no water remains. Not a drinking water supply.
SWRCB Staff Recommendation	Delist due to natural sources of salts and trace elements. Except for a few inches of water used to wet the dry lakebed to reduce particulate air pollution, no water remains. Not a drinking water supply.
TMDL Priority	

Region 6

Hot Creek

Water Body	Hot Creek
Stressor/Media/Beneficial Use	Metals
Extent to which data quality requirements are met	NA
Linkage between measurement endpoint and benefical use or standard	NA
Utility of measure for judging if standards or uses are not attained	NA
Water Body-specific Information	NA
Data used to assess water quality	NA
Spatial representation	NA
Temporal representation	NA
Data type	NA
Use of standard method	NA
Source(s) of Pollutant	Metals (arsenic and others) come from natural geothermal and volcanic sources.
Alternative Enforceable Program	NA
Regional Board Recommendation	Delist due to natural sources of metals.
SWRCB Staff Recommendation	Delist due to natural sources of metals.
TMDL Priority	

Region 6

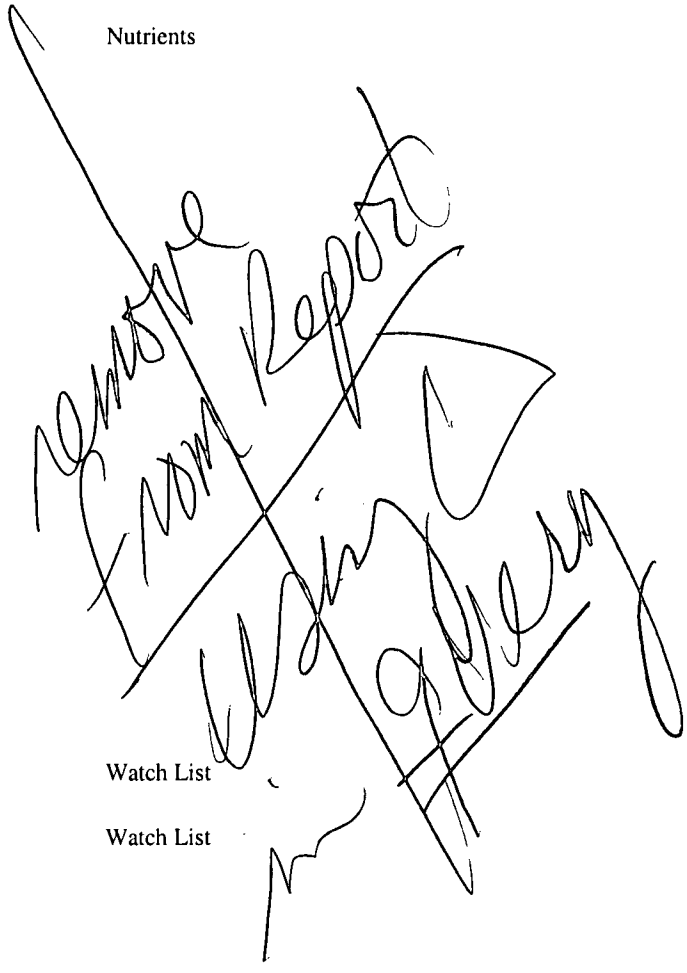
Mojave River

Water Body	Mojave River
Stressor/Media/Beneficial Use	Priority Organics
Extent to which data quality requirements are met	QA procedures used
Linkage between measurement endpoint and benefical use or standard	NA
Utility of measure for judging if standards or uses are not attained	NA
Water Body-specific Information	NA
Data used to assess water quality	NA
Spatial representation	NA
Temporal representation	NA
Data type	NA
Use of standard method	NA
Source(s) of Pollutant	No
Alternative Enforceable Program	No
Regional Board Recommendation	Delist because pollutants were present in groundwater portion of this intermittent stream, and listings are limited to surface waters. Also a 1991USGS study showed that priority pollutants are no longer present in concentrations of concern in the area affected by the groundwater plume.
SWRCB Staff Recommendation	Delist because pollutants were present in groundwater portion of this intermittent stream, and listings are limited to surface waters. Also a 1991USGS study showed that priority pollutants are no longer present in concentrations of concern in the area affected by the groundwater plume.
TMDL Priority	

Region 6

Pine Creek

Water Body	Pine Creek
Stressor/Media/Beneficial Use	Nutrients
Extent to which data quality requirements are met	
Linkage between measurement endpoint and benefical use or standard	
Utility of measure for judging if standards or uses are not attained	
Water Body-specific Information	
Data used to assess water quality	
Spatial representation	
Temporal representation	
Data type	
Use of standard method	
Source(s) of Pollutant	
Alternative Enforceable Program	
Regional Board Recommendation	Watch List
SWRCB Staff Recommendation	Watch List
TMDL Priority	



Region 6

Searles Lake

Water Body	Searles Lake
Stressor/Media/Beneficial Use	Salinity, TDS, Chlorides
Extent to which data quality requirements are met	NA
Linkage between measurement endpoint and benefical use or standard	NA
Utility of measure for judging if standards or uses are not attained	NA
Water Body-specific Information	NA
Data used to assess water quality	NA
Spatial representation	NA
Temporal representation	NA
Data type	NA
Use of standard method	NA
Source(s) of Pollutant	Yes.
Alternative Enforceable Program	~~WDRs? Other discharge permit to IMCC? CAOs from RWQCB and CDFG~~ unless already in place
Regional Board Recommendation	Delist because impairment resulting from salinity/TDS/chlorides is from natural sources, and the lake is supporting aquatic life uses to the extent possible under extreme environmental conditions.
SWRCB Staff Recommendation	Insufficient information to Delist. No monitoring data provided to show that discharges of brine from IMCC do not elevate brine concentration above already high natural levels. Factsheet states that, Most of the surface water currently on the lakebed is brine extracted from beneath the lakebed by IMCC and returned to the lakebed following the extraction of minerals. Insufficient information to show that waterfowl deaths are caused solely by petroleum hydrocarbons (see listing for petroleum hydrocarbons above) and not affected by elevated brine levels.
TMDL Priority	

Region 6

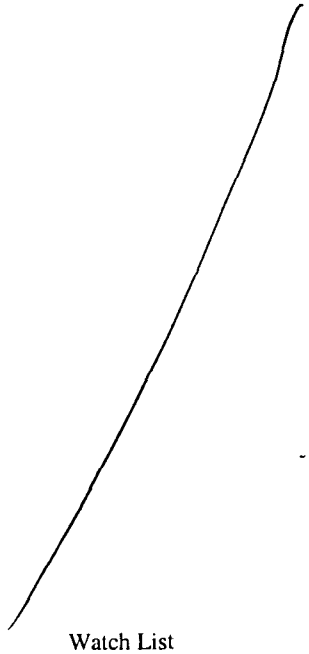
Susan River u/s of Susanville

Water Body	Susan River u/s of Susanville
Stressor/Media/Beneficial Use	Mercury
Extent to which data quality requirements are met	
Linkage between measurement endpoint and benefical use or standard	
Utility of measure for judging if standards or uses are not attained	
Water Body-specific Information	
Data used to assess water quality	
Spatial representation	
Temporal representation	
Data type	
Use of standard method	
Source(s) of Pollutant	
Alternative Enforceable Program	
Regional Board Recommendation	Watch List
SWRCB Staff Recommendation	Watch List
TMDL Priority	

Region 6

Susan River u/s of Susanville

Water Body	Susan River u/s of Susanville
Stressor/Media/Beneficial Use	Nickel
Extent to which data quality requirements are met	
Linkage between measurement endpoint and benefical use or standard	
Utility of measure for judging if standards or uses are not attained	
Water Body-specific Information	
Data used to assess water quality	
Spatial representation	
Temporal representation	
Data type	
Use of standard method	
Source(s) of Pollutant	
Alternative Enforceable Program	
Regional Board Recommendation	Watch List
SWRCB Staff Recommendation	Watch List
TMDL Priority	



Region 6

Susan River d/s of Paiute Creek

Water Body	Susan River d/s of Paiute Creek
Stressor/Media/Beneficial Use	Mercury
Extent to which data quality requirements are met	
Linkage between measurement endpoint and benefical use or standard	
Utility of measure for judging if standards or uses are not attained	
Water Body-specific Information	
Data used to assess water quality	
Spatial representation	
Temporal representation	
Data type	
Use of standard method	
Source(s) of Pollutant	
Alternative Enforceable Program	
Regional Board Recommendation	Watch List
SWRCB Staff Recommendation	Watch List
TMDL Priority	

Region 6

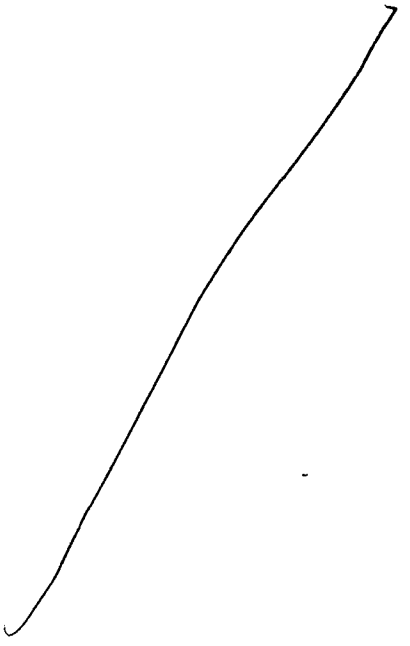
Susan River d/s of Paiute Creek

Water Body	Susan River d/s of Paiute Creek
Stressor/Media/Beneficial Use	Nickel
Extent to which data quality requirements are met	
Linkage between measurement endpoint and benefical use or standard	
Utility of measure for judging if standards or uses are not attained	
Water Body-specific Information	
Data used to assess water quality	
Spatial representation	
Temporal representation	
Data type	
Use of standard method	
Source(s) of Pollutant	
Alternative Enforceable Program	
Regional Board Recommendation	Watch List
SWRCB Staff Recommendation	Watch List
TMDL Priority	

Region 6

Susan River d/s of Paiute Creek

Water Body	Susan River d/s of Paiute Creek
Stressor/Media/Beneficial Use	PCBs
Extent to which data quality requirements are met	
Linkage between measurement endpoint and benefical use or standard	
Utility of measure for judging if standards or uses are not attained	
Water Body-specific Information	
Data used to assess water quality	
Spatial representation	
Temporal representation	
Data type	
Use of standard method	
Source(s) of Pollutant	
Alternative Enforceable Program	
Regional Board Recommendation	Watch List
SWRCB Staff Recommendation	Watch List
TMDL Priority	



Region 6

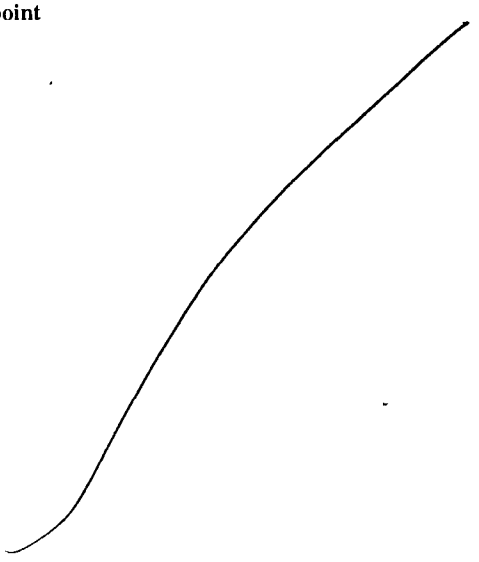
Lassen Creek

Water Body	Lassen Creek
Stressor/Media/Beneficial Use	Sediment
Extent to which data quality requirements are met	
Linkage between measurement endpoint and benefical use or standard	
Utility of measure for judging if standards or uses are not attained	
Water Body-specific Information	
Data used to assess water quality	
Spatial representation	
Temporal representation	
Data type	
Use of standard method	
Source(s) of Pollutant	
Alternative Enforceable Program	
Regional Board Recommendation	Watch List
SWRCB Staff Recommendation	Watch List
TMDL Priority	

Region 6

Long Valley Creek

Water Body	Long Valley Creek
Stressor/Media/Beneficial Use	Sediment
Extent to which data quality requirements are met	
Linkage between measurement endpoint and benefical use or standard	
Utility of measure for judging if standards or uses are not attained	
Water Body-specific Information	
Data used to assess water quality	
Spatial representation	
Temporal representation	
Data type	
Use of standard method	
Source(s) of Pollutant	
Alternative Enforceable Program	
Regional Board Recommendation	Watch List
SWRCB Staff Recommendation	Watch List
TMDL Priority	



Region 6

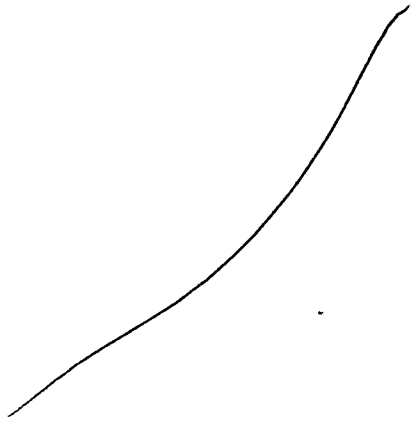
Little Truckee River

Water Body	Little Truckee River
Stressor/Media/Beneficial Use	Sediment
Extent to which data quality requirements are met	
Linkage between measurement endpoint and benefical use or standard	
Utility of measure for judging if standards or uses are not attained	
Water Body-specific Information	
Data used to assess water quality	
Spatial representation	
Temporal representation	
Data type	
Use of standard method	
Source(s) of Pollutant	
Alternative Enforceable Program	
Regional Board Recommendation	Watch List
SWRCB Staff Recommendation	Watch List
TMDL Priority	

Region 6

Stampede Reservoir

Water Body	Stampede Reservoir
Stressor/Media/Beneficial Use	Chlordane
Extent to which data quality requirements are met	
Linkage between measurement endpoint and benefical use or standard	
Utility of measure for judging if standards or uses are not attained	
Water Body-specific Information	
Data used to assess water quality	
Spatial representation	
Temporal representation	
Data type	
Use of standard method	
Source(s) of Pollutant	
Alternative Enforceable Program	
Regional Board Recommendation	Watch List
SWRCB Staff Recommendation	Watch List
TMDL Priority	



Region 6

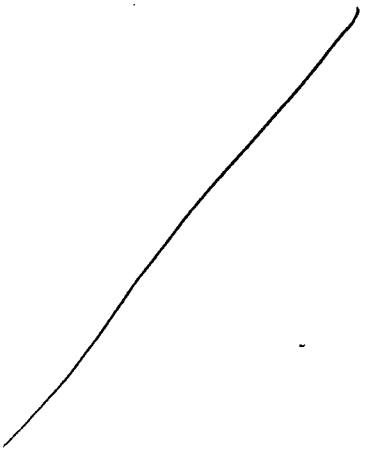
Truckee River

Water Body	Truckee River
Stressor/Media/Beneficial Use	Chloride
Extent to which data quality requirements are met	
Linkage between measurement endpoint and benefical use or standard	
Utility of measure for judging if standards or uses are not attained	
Water Body-specific Information	
Data used to assess water quality	
Spatial representation	
Temporal representation	
Data type	
Use of standard method	
Source(s) of Pollutant	
Alternative Enforceable Program	
Regional Board Recommendation	Watch List
SWRCB Staff Recommendation	Watch List
TMDL Priority	

Region 6

Truckee River

Water Body	Truckee River
Stressor/Media/Beneficial Use	TDS
Extent to which data quality requirements are met	
Linkage between measurement endpoint and benefical use or standard	
Utility of measure for judging if standards or uses are not attained	
Water Body-specific Information	
Data used to assess water quality	
Spatial representation	
Temporal representation	
Data type	
Use of standard method	
Source(s) of Pollutant	
Alternative Enforceable Program	
Regional Board Recommendation	Watch List
SWRCB Staff Recommendation	Watch List
TMDL Priority	



Region 6

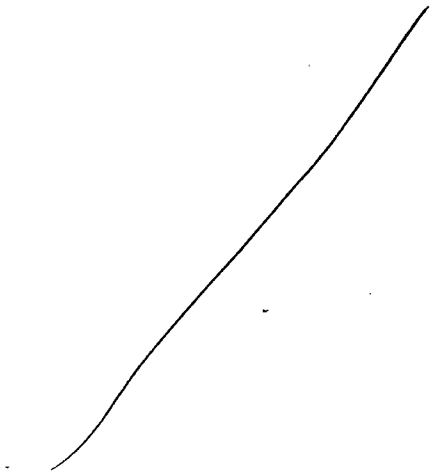
Squaw Creek Meadow Wetlands

Water Body	Squaw Creek Meadow Wetlands
Stressor/Media/Beneficial Use	Pesticides
Extent to which data quality requirements are met	
Linkage between measurement endpoint and benefical use or standard	
Utility of measure for judging if standards or uses are not attained	
Water Body-specific Information	
Data used to assess water quality	
Spatial representation	
Temporal representation	
Data type	
Use of standard method	
Source(s) of Pollutant	
Alternative Enforceable Program	
Regional Board Recommendation	Watch List
SWRCB Staff Recommendation	Watch List
TMDL Priority	

Region 6

Cold Stream

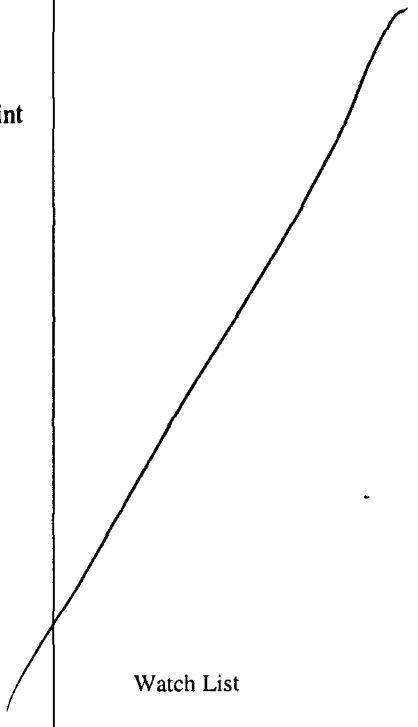
Water Body	Cold Stream
Stressor/Media/Beneficial Use	Sediment
Extent to which data quality requirements are met	
Linkage between measurement endpoint and benefical use or standard	
Utility of measure for judging if standards or uses are not attained	
Water Body-specific Information	
Data used to assess water quality	
Spatial representation	
Temporal representation	
Data type	
Use of standard method	
Source(s) of Pollutant	
Alternative Enforceable Program	
Regional Board Recommendation	Watch List
SWRCB Staff Recommendation	Watch List
TMDL Priority	



Region 6

Martis Creek

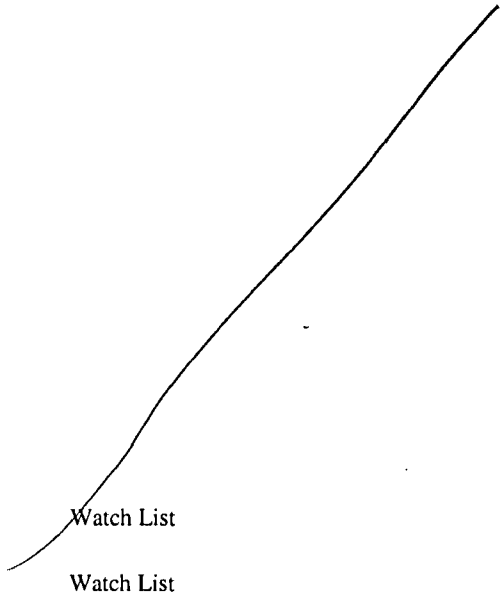
Water Body	Martis Creek
Stressor/Media/Beneficial Use	Nutrients
Extent to which data quality requirements are met	
Linkage between measurement endpoint and benefical use or standard	
Utility of measure for judging if standards or uses are not attained	
Water Body-specific Information	
Data used to assess water quality	
Spatial representation	
Temporal representation	
Data type	
Use of standard method	
Source(s) of Pollutant	
Alternative Enforceable Program	
Regional Board Recommendation	Watch List
SWRCB Staff Recommendation	Watch List
TMDL Priority	



Region 6

Summit Creek

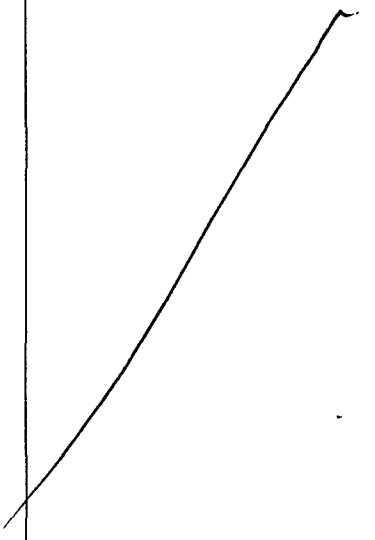
Water Body	Summit Creek
Stressor/Media/Beneficial Use	Petroleum products
Extent to which data quality requirements are met	
Linkage between measurement endpoint and benefical use or standard	
Utility of measure for judging if standards or uses are not attained	
Water Body-specific Information	
Data used to assess water quality	
Spatial representation	
Temporal representation	
Data type	
Use of standard method	
Source(s) of Pollutant	
Alternative Enforceable Program	
Regional Board Recommendation	Watch List
SWRCB Staff Recommendation	Watch List
TMDL Priority	



Region 6

Donner Lake

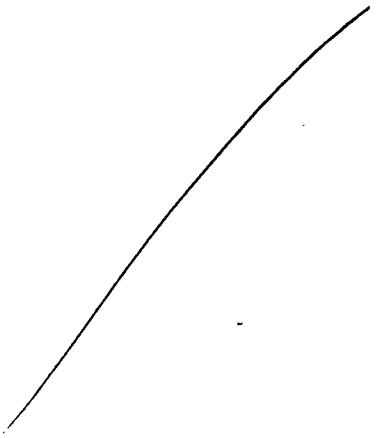
Water Body	Donner Lake
Stressor/Media/Beneficial Use	Pathogens
Extent to which data quality requirements are met	
Linkage between measurement endpoint and benefical use or standard	
Utility of measure for judging if standards or uses are not attained	
Water Body-specific Information	
Data used to assess water quality	
Spatial representation	
Temporal representation	
Data type	
Use of standard method	
Source(s) of Pollutant	
Alternative Enforceable Program	
Regional Board Recommendation	Watch List
SWRCB Staff Recommendation	Watch List
TMDL Priority	



Region 6

Donner Lake

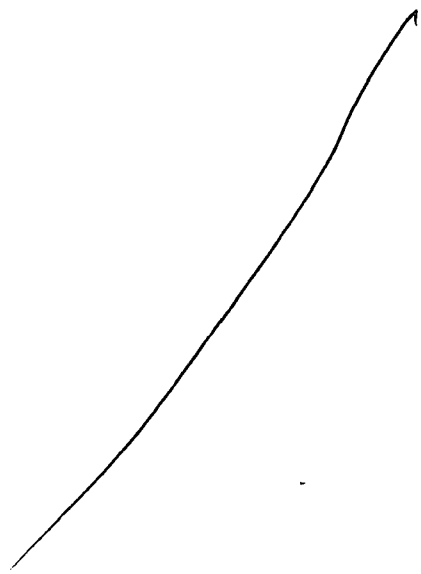
Water Body	Donner Lake
Stressor/Media/Beneficial Use	Boat Fuel Constituents
Extent to which data quality requirements are met	
Linkage between measurement endpoint and benefical use or standard	
Utility of measure for judging if standards or uses are not attained	
Water Body-specific Information	
Data used to assess water quality	
Spatial representation	
Temporal representation	
Data type	
Use of standard method	
Source(s) of Pollutant	
Alternative Enforceable Program	
Regional Board Recommendation	Watch List
SWRCB Staff Recommendation	Watch List
TMDL Priority	



Region 6

Donner Lake

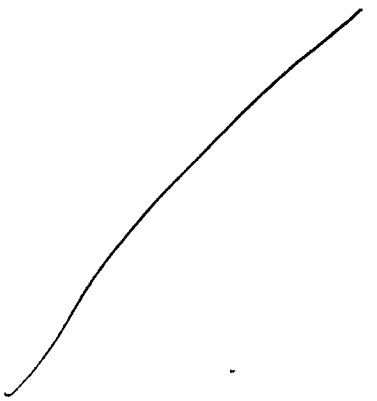
Water Body	Donner Lake
Stressor/Media/Beneficial Use	PCBs
Extent to which data quality requirements are met	
Linkage between measurement endpoint and benefical use or standard	
Utility of measure for judging if standards or uses are not attained	
Water Body-specific Information	
Data used to assess water quality	
Spatial representation	
Temporal representation	
Data type	
Use of standard method	
Source(s) of Pollutant	
Alternative Enforceable Program	
Regional Board Recommendation	Watch List
SWRCB Staff Recommendation	Watch List
TMDL Priority	



Region 6

Donner Lake

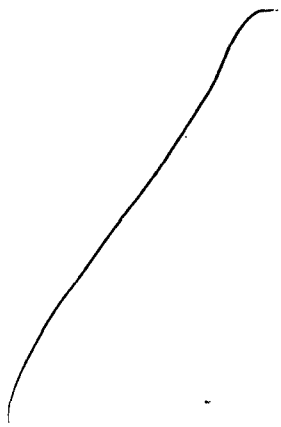
Water Body	Donner Lake
Stressor/Media/Beneficial Use	Lindane
Extent to which data quality requirements are met	
Linkage between measurement endpoint and benefical use or standard	
Utility of measure for judging if standards or uses are not attained	
Water Body-specific Information	
Data used to assess water quality	
Spatial representation	
Temporal representation	
Data type	
Use of standard method	
Source(s) of Pollutant	
Alternative Enforceable Program	
Regional Board Recommendation	Watch List
SWRCB Staff Recommendation	Watch List
TMDL Priority	



Region 6

Donner Creek

Water Body	*Donner Creek*
Stressor/Media/Beneficial Use	Sediment
Extent to which data quality requirements are met	
Linkage between measurement endpoint and benefical use or standard	
Utility of measure for judging if standards or uses are not attained	
Water Body-specific Information	
Data used to assess water quality	
Spatial representation	
Temporal representation	
Data type	
Use of standard method	
Source(s) of Pollutant	
Alternative Enforceable Program	
Regional Board Recommendation	Watch List
SWRCB Staff Recommendation	Watch List
TMDL Priority	



Region 6

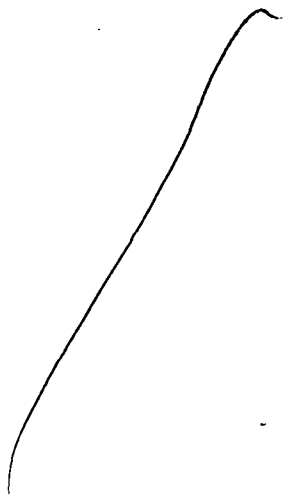
Lake Tahoe

Water Body	Lake Tahoe
Stressor/Media/Beneficial Use	Iron
Extent to which data quality requirements are met	
Linkage between measurement endpoint and benefical use or standard	
Utility of measure for judging if standards or uses are not attained	
Water Body-specific Information	
Data used to assess water quality	
Spatial representation	
Temporal representation	
Data type	
Use of standard method	
Source(s) of Pollutant	
Alternative Enforceable Program	
Regional Board Recommendation	Watch List
SWRCB Staff Recommendation	Watch List
TMDL Priority	

Region 6

Lake Tahoe

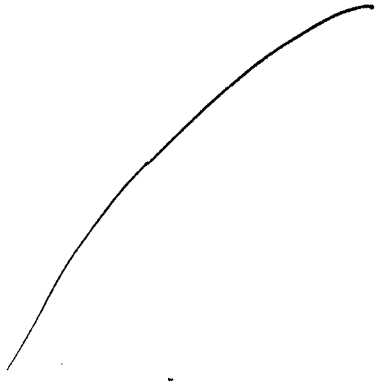
Water Body	Lake Tahoe
Stressor/Media/Beneficial Use	Mercury in sediment
Extent to which data quality requirements are met	
Linkage between measurement endpoint and benefical use or standard	
Utility of measure for judging if standards or uses are not attained	
Water Body-specific Information	
Data used to assess water quality	
Spatial representation	
Temporal representation	
Data type	
Use of standard method	
Source(s) of Pollutant	
Alternative Enforceable Program	
Regional Board Recommendation	Watch List
SWRCB Staff Recommendation	Watch List
TMDL Priority	



Region 6

Lake Tahoe

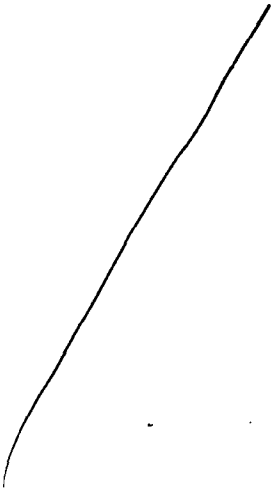
Water Body	Lake Tahoe
Stressor/Media/Beneficial Use	Lead in sediment
Extent to which data quality requirements are met	
Linkage between measurement endpoint and benefical use or standard	
Utility of measure for judging if standards or uses are not attained	
Water Body-specific Information	
Data used to assess water quality	
Spatial representation	
Temporal representation	
Data type	
Use of standard method	
Source(s) of Pollutant	
Alternative Enforceable Program	
Regional Board Recommendation	Watch List
SWRCB Staff Recommendation	Watch List
TMDL Priority	



Region 6

Lake Tahoe

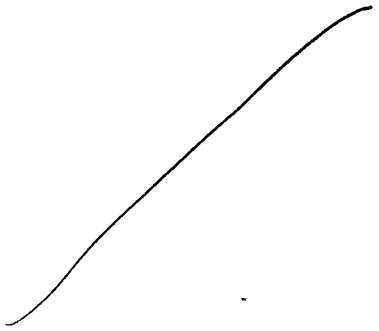
Water Body	Lake Tahoe
Stressor/Media/Beneficial Use	Boat fuel constituents
Extent to which data quality requirements are met	
Linkage between measurement endpoint and benefical use or standard	
Utility of measure for judging if standards or uses are not attained	
Water Body-specific Information	
Data used to assess water quality	
Spatial representation	
Temporal representation	
Data type	
Use of standard method	
Source(s) of Pollutant	
Alternative Enforceable Program	
Regional Board Recommendation	Watch List
SWRCB Staff Recommendation	Watch List
TMDL Priority	



Region 6

Lake Tahoe

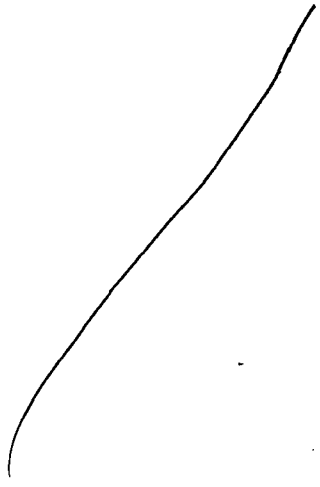
Water Body	Lake Tahoe
Stressor/Media/Beneficial Use	Pesticides (40 different compounds)
Extent to which data quality requirements are met	
Linkage between measurement endpoint and benefical use or standard	
Utility of measure for judging if standards or uses are not attained	
Water Body-specific Information	
Data used to assess water quality	
Spatial representation	
Temporal representation	
Data type	
Use of standard method	
Source(s) of Pollutant	
Alternative Enforceable Program	
Regional Board Recommendation	Watch List
SWRCB Staff Recommendation	Watch List
TMDL Priority	



Region 6

Tahoe Keys Sailing Lagoon

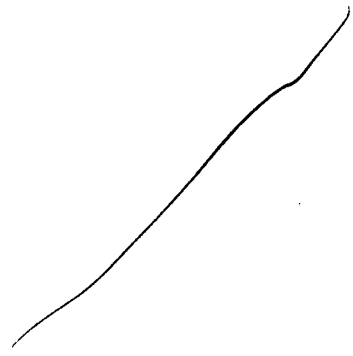
Water Body	Tahoe Keys Sailing Lagoon
Stressor/Media/Beneficial Use	PCBs
Extent to which data quality requirements are met	
Linkage between measurement endpoint and benefical use or standard	
Utility of measure for judging if standards or uses are not attained	
Water Body-specific Information	
Data used to assess water quality	
Spatial representation	
Temporal representation	
Data type	
Use of standard method	
Source(s) of Pollutant	
Alternative Enforceable Program	
Regional Board Recommendation	Watch List
SWRCB Staff Recommendation	Watch List
TMDL Priority	



Region 6

Tahoe Keys Sailing Lagoon

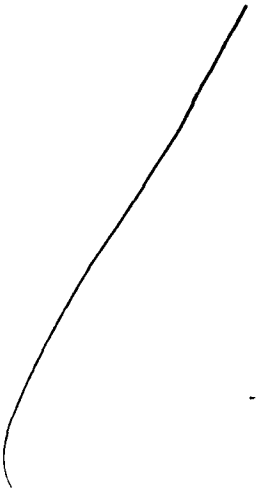
Water Body	Tahoe Keys Sailing Lagoon
Stressor/Media/Beneficial Use	Toxaphene
Extent to which data quality requirements are met	
Linkage between measurement endpoint and benefical use or standard	
Utility of measure for judging if standards or uses are not attained	
Water Body-specific Information	
Data used to assess water quality	
Spatial representation	
Temporal representation	
Data type	
Use of standard method	
Source(s) of Pollutant	
Alternative Enforceable Program	
Regional Board Recommendation	Watch List
SWRCB Staff Recommendation	Watch List
TMDL Priority	



Region 6

Upper Angora Lake

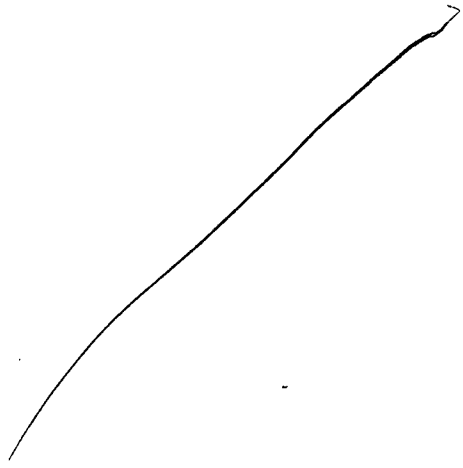
Water Body	Upper Angora Lake
Stressor/Media/Beneficial Use	Pesticides (16 different compounds)
Extent to which data quality requirements are met	
Linkage between measurement endpoint and benefical use or standard	
Utility of measure for judging if standards or uses are not attained	
Water Body-specific Information	
Data used to assess water quality	
Spatial representation	
Temporal representation	
Data type	
Use of standard method	
Source(s) of Pollutant	
Alternative Enforceable Program	
Regional Board Recommendation	Watch List
SWRCB Staff Recommendation	Watch List
TMDL Priority	



Region 6

Taylor Creek

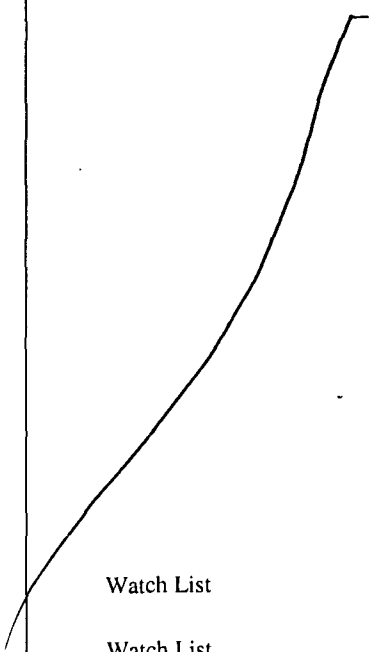
Water Body	Taylor Creek
Stressor/Media/Beneficial Use	Pesticides (8 different compounds)
Extent to which data quality requirements are met	
Linkage between measurement endpoint and benefical use or standard	
Utility of measure for judging if standards or uses are not attained	
Water Body-specific Information	
Data used to assess water quality	
Spatial representation	
Temporal representation	
Data type	
Use of standard method	
Source(s) of Pollutant	
Alternative Enforceable Program	
Regional Board Recommendation	Watch List
SWRCB Staff Recommendation	Watch List
TMDL Priority	



Region 6

Lily Lake

Water Body	Lily Lake
Stressor/Media/Beneficial Use	Nutrients
Extent to which data quality requirements are met	
Linkage between measurement endpoint and benefical use or standard	
Utility of measure for judging if standards or uses are not attained	
Water Body-specific Information	
Data used to assess water quality	
Spatial representation	
Temporal representation	
Data type	
Use of standard method	
Source(s) of Pollutant	
Alternative Enforceable Program	
Regional Board Recommendation	Watch List
SWRCB Staff Recommendation	Watch List
TMDL Priority	



6/24/02

GENERAL

Topic: Watch List

Likely to be used in this.

Issue: In the proposed 2002 list submittal we propose the use of a single watch list but it has multiple purposes (e.g., monitoring priority list, water quality limited segments due to pollution, water quality listed segments with an alternate enforceable program to address the problem, and the TMDL completed list).

The regulated community is generally in favor of the use of a "watch list" for waters that need additional monitoring to determine if the water should be on the Section 303(d) list or if an enforceable program is available to address the problem. Environmental groups are suspicious that the watch list will be used to simply delist waters so no cleanup or remediation takes place.

The U.S. Environmental Protection Agency supports the use of a watch list as long as we carefully describe why waters are placed on the list.

Options:

1. Develop only the 303(d) list, do not use a watch list. This option will satisfy the environmental community. The regulated community will likely complain about how we are backing away from the recommendations of the National Research Council report proposing preliminary or watch lists be used.

2. Use a single watch list, as currently proposed. This option will continue the confusion about what the watch list is and what waters should be place on the list. The environmental community will continue to disagree with the approach but the regulated community will support the idea.

3. Use a multi-part "watch list" with the 303(d) list. Under this option we could clearly describe the purpose and need for each portion of the watch list. For example, we could create an "Monitoring Priority List" that would set State priorities for future monitoring. This option would possibly satisfy the environmental community concerns that the watch list is a way to simply delist without any action. The regulated community would likely continue to support the use of this type list. California's watch list could be patterned after the proposed categories presented in the U.S. EPA 2002 Integrated Water Quality Monitoring and Assessment Report Guidance and the new draft TMDL rule.

★ = recommended option.

GENERAL

Topic: Is it necessary or appropriate to re-examine and assess beneficial uses and/or water quality objectives during the 303(d) listing process?

Issue: During the list hearings, the State Board received numerous comments arguing that water quality standards should be reexamined before any water is listed. Do these comments have any merit?

Conclusion:

No. These comments reflect a misunderstanding of the purpose of the 303(d) list, its role in the structure of the Clean Water Act, and the mechanisms required to change standards.

Options:

1. Before listing, reexamine and reassess beneficial uses and water quality objectives relating to the waters proposed in the 303(d) list.

2. Not reexamine or reassess beneficial uses or water quality objectives as part of the 303(d) listing process; let such examination remain a part of the triennial review.

Only option #2 is consistent with the law.

Section 303(d) requires the state to create a list of waters that do not meet existing water quality standards. The purpose of the 303(d) list is to provide information about the waters relative to existing standards, not to reexamine whether those standards are appropriate. The first option, above, defeats the purpose of section 303(d).

The process for examining and assessing water quality standards is far different from the one required to amend the 303(d) list. Under federal regulations, to develop the list, the state must assemble and evaluate "all existing and readily available water-quality related data and information." (40 CFR 130.7.) Accordingly, the state and regional boards only solicited information about whether waters are meeting standards; they did not inquire whether those standards are appropriate. The data and information collected do not necessarily include information about historic, current, or potential future uses of any particular body of water. As such, the administrative record in this proceeding was not intended to and cannot support evaluation of standards.

Moreover, an established process exists with which to reexamine water quality standards. Federal law requires the state to review water quality standards "at least once every three years." (40 C.F.R. § 131.20.) During the triennial review, the:

> "State shall . . . hold public hearings for the purpose of reviewing applicable water quality standards, and, as appropriate, modifying or

> adopting standards. Any water body segment with water quality standards that do not include the uses specified in section 101(a)(2) of the Act shall be re-examined every three years to determine if any new information has become available." (*Id.*)

California vests its authority in the Regional Boards to establish water quality objectives. When establishing and/or reevaluating existing standards, the Regional Boards must consider a variety of factors before objectives can be modified and incorporated into the water quality control plans. (See Water Code § 13241.) The State Board then must approve the Regional Board's water quality control plan. If the State Board disapproves of all or part of the plan, it must remand the amendment to the Regional Board for reconsideration; the State Board does not have the authority to make the requisite changes. (Water Code § 13245.) If, upon re-submittal, the State Board again disapproves or deems the Regional Board's actions inappropriate, the State Board must hold a hearing in the applicable region before making any changes to the plan. (*Id.*) Thereafter, OAL and EPA must approve all standards actions prior to their promulgation. None of these requirements have occurred in the context of the 303(d) list process. Moreover, undertaking to reevaluate water quality standards at this time would be impossible to accomplish by the October 1 deadline to submit the 303(d) list.

A review of water quality standards in the 303(d) listing process is not required under the language of the federal statute and is inappropriate to the process. It would be a major distraction from the goal of determining which waters do and do not attain standards. As the 9th Circuit analyzed last week in the *Pronsolino* decision, establishing water quality standards and developing the 303(d) list and TMDLs are distinct steps or links in a deliberate evaluation and implementation chain that is designed to lead to attainment of acceptable water quality. (*Pronsolino v. Nastri* (9th Cir. Cal.) 2002 WL 1082428, pp. 2-4 (paraphrased).)

Finally, injecting the evaluation of water quality standards into the 303(d) listing process may give that process, which functions primarily as a report or an "intergovernmental communication", numerous unnecessary regulatory overtones. The 303(d) list, in its current form, as proposed by staff, complies with federal law and no examination or assessment of water quality standards should be undertaken at this time.

Should you have any questions about this matter, contact Michael J. Levy, Staff Counsel, at 341-5193 or mlevy@swrcb.ca.gov.

GENERAL

Topic: Consistency among the Regional Boards in their listing approach

Issue: It seems U.S. EPA approval will hinge on how well we document the inconsistencies between the RWQCBs listing and delisting approaches. U.S. EPA's comment is:

Documentation of the basis for listing decisions must be improved. In some areas, the draft listing package provides insufficient information describing the data and information considered and the analytical and legal basis for conclusions that individual waters should or should not be listed. Additional **details** are necessary to describe how the State considered data and information quality and quantity and determined whether numeric and narrative water quality objectives were attained. Also, several listing decisions appear to be inconsistent with each other, and **the final listing decisions must be made in a consistent manner** or include rationales demonstrating that differences in listing assessment approaches and results are reasonable. [emphasis added]

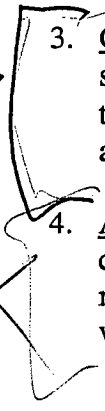
Options:

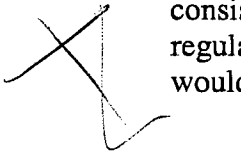
1. Allow inconsistencies and do not explain differences in approach. This option protects the SWRCB from the underground regulation problems. Essentially, inconsistency is defensible. EPA will likely change the list to fix the major inconsistencies in the list. They would, of course, prefer that we make these changes.

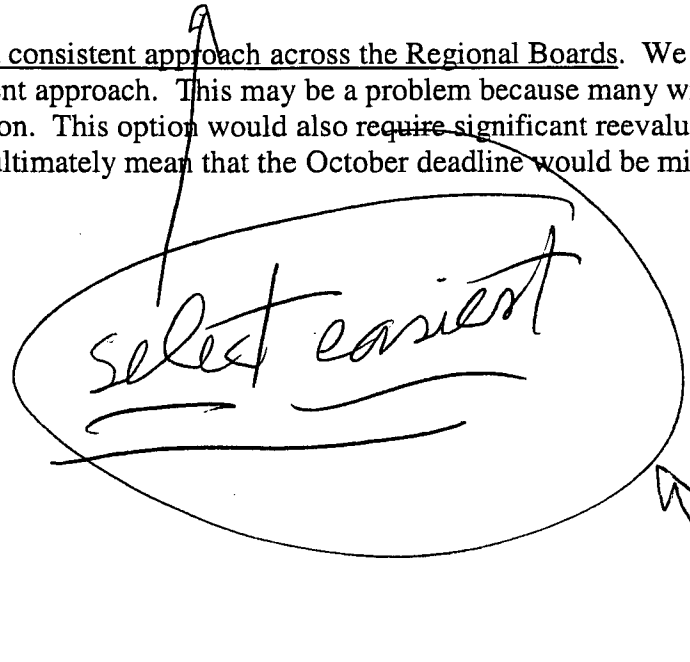
2. Allow inconsistencies and explain the site specific needs for the approach used. It is virtually impossible to come up with site-specific reasons (rationales) for all the inconsistencies U.S. EPA has identified (in other words, the inconsistencies are due to different staff opinions not environmental reasons that can be pulled from the record).

3. Change major problems. The SWRCB staff could partially address this issue by identifying selected major inconsistencies to fix. We could potentially address consistency issues related to: Beach closures and postings, the use of the 50 percent cutoff by Region 3, differences among the Regions in the use of guidelines to interpret narrative standards, etc.

4. Apply a consistent approach across the Regional Boards. We can describe precisely a consistent approach. This may be a problem because many will view this as an underground regulation. This option would also require significant reevaluation of the record and that would ultimately mean that the October deadline would be missed.







REGION 1

Topic: The temperature listing for six North Coast Rivers: Gualala River, Mad River, Russian River, Ten Mile River, Big River, and Redwood Creek.

Issue: The Regional Board staff proposed the listings of the Gualala River, Mad River, Russian River, Ten Mile River, Big River, and Redwood Creek for temperature to the State Board. The Regional Board members concluded later that at that time, insufficient information existed to support the staff recommendation, and recommended to put 5 of these 6 water bodies on the Watch List. The Regional Board wished to include only the Russian River on the 303(d) List for temperature. We listed all of the North Coast rivers, for reasons of consistency, on the Watch List for temperature.

Since the draft staff report has been released many commentors have testified, and written that sufficient data was gathered and analyzed by the Regional Board staff in support of listing all six of the North Coast Rivers for temperature. The data set includes multiple years of monitoring data at a minimum of thirty-three sites in each watershed. In many cases four or more years of monitoring data were conducted and analyzed. These six water bodies proposed for temperature listings are all currently listed as impaired by excessive sediment.

At the SWRCB hearing, many participants came forward and gave testimony emphasizing that sufficient data, evidence and information does readily exist, that shows that all six of these North Coast rivers are impaired by temperature. Some of these individuals represented NOAA/NMFS, Coast Action Group, the Salmonid Restoration Federation and U.S. EPA. These groups feel that a decision not to place these six water bodies on the list for temperature will likely delay the recovery of the designated beneficial uses, particularly the cold water fishery which includes species and habitat listed under the Endangered Species Act (ESA).

Options:

1. Leave all of the North Coast rivers on the Watch List for temperature. This option will be strongly opposed by NOAA/NMFS, U.S. EPA, and the environmental community. They will likely dispute that there does exist more than enough sufficient evidence and information to list all six of these rivers.

2. List all six of the North Coast rivers recommended for temperature listing. This option will satisfy the environmental community, U.S. EPA, and NOAA/NMFS. Sufficient information exists to list all six of these North Coast rivers. Each of these six rivers are already listed on the 303(d) List for sediment. The regulated community would likely disagree, the case being that there is a strong link between sediment and temperature impairments. Listing these rivers for temperature may aid in the recovery process for the species and habitat in the North Coast rivers listed under the ESA.

3. Don't list any of the North Coast Rivers on the Watch List or the 303(d) List for temperature. This option will not satisfy anyone. The entire environmental community will likely convince U.S. EPA to list these six rivers on the 2002 303(d) List for temperature.

Sed & Temp are in Lock Step

Diamond Take off WL

REGION 2

Topic: Copper in the Lower South San Francisco Bay.

Issue: The Regional Board proposed to delist copper in the South San Francisco Bay supported by a proposed site-specific objective (SSO) for copper. At the time of the release of the State Board Draft Staff Report for the 2002 303(d) List the SSO had not been adopted. Since that time, the site-specific objective was adopted by San Francisco Regional Board on May 22, 2002, that includes objectives for both copper and nickel in the Lower South San Francisco Bay (LSB).

The rationale that was included in the Regional Board Staff Report was clearly supportive of de-listing nickel independent of the SSO in the LSB so we recommended delisting nickel and placing it on the Watch List for further monitoring. However, Region 2 staff has said the rationale was unclear in support of de-listing copper in the LSB independent of the SSO. The rationale has, since the release of our Draft Report, been clarified with the Regional Board. The rationale to de-list copper independent of the SSO was based on water effect ratio (WER) information, that shows that copper levels are below applicable thresholds of impairment south of the Dumbarton Bridge. The prior rationale was that dissolved levels of copper are consistently below the proposed site-specific objective. It is important to note that the proposed copper SSO was calculated by making use of a WER which itself is part of the current water quality objective and is based on the existing California Toxic Rule (CTR).

The entire rationale discussion aside, as it stands now the Regional Board has adopted the SSO for copper and nickel in the LSB. Evidence exists based on the use of the WER (CTR) information and the SSO, that the levels of dissolved copper in the LSB are consistently below the threshold levels, and this justifies that copper should be de-listed for the Lower South San Francisco Bay.

Options:

1. De-list the Lower South San Francisco Bay for copper. It has been shown that readily available data of ambient dissolved copper concentrations in the LSB never exceed the adopted SSO, and they never even exceed the WER-adjusted CTR objective. The existing data and the regulated community would support this option.

2. De-list the Lower South San Francisco Bay for copper and place it on the Watch List. This would clearly be the most protective option. For the LSB we recommended de-listing nickel and placing it on the Watch list for further monitoring, and to this date this approach has been the one favored by both the regulated and environmental communities. The data clearly show there exists a need to de-list copper for the LSB. De-listing it and placing it on the watch list allows it to be monitored in the future to see if the SSO and WER- adjusted CTR objective continue to be not exceeded for dissolved copper in the LSB. De-listing copper in the LSB and placing it on the Watch List would be fully supported by both the S.F. Regional Board and the U.S.EPA. This option is not supported by the city of San Jose.

3. Maintain the listing of Copper in the Lower South San Francisco Bay. This option doesn't satisfy anyone. At the time of the release of the Draft Staff Report more clarification was needed on the rationale to de-list based on the WER information, and the Regional Board hadn't formally adopted the SSO. Since then the rationale to delist has been clarified and the SSO has been adopted, so there remains no basis to maintain the listing when considering the readily available data and information to de-list.

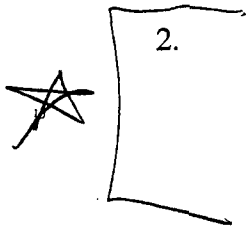
REGION 3

Topic: Majors Creek Listing for sediment impairment

Issue: The Coastal Coast RWQCB and San Lorenzo Valley Water District disagrees with the State Board's staff recommendation to exclude Majors Creek for sediment impacts on the 303(d) List, due to insufficient evidence. The City and Citizens for Responsible Forest Management has provided turbidity and pictures as evidence to support the listing. However, the units of turbidity measurements differ from those of the turbidity water quality objective in the Basin Plan. The Basin Plan measures turbidity in Jackson Turbidity Units that are rarely used. Also, it is difficult to determine and quantify the extent of sediment impacts from photographs that were submitted by the citizen's group.

Options:

1. Maintain the State's recommendation to exclude Majors Creek for sediments from the list due to insufficient evidence. This option will continue to cause conflict with the public specifically the citizen groups in Majors Creek.



2. Recommend that Majors Creek be added to the Watch List. This option would require Regional Board to conduct more monitoring on the Creek to support the listing for sediment impairment. However, the Regional Board is not comfortable with the Watch List because it is unclear what criteria is used for the Watch List and what requirements will be imposed on Watch List water bodies.

3. Change the State's recommendation to add Majors Creek to the Proposed 303(d) list. This option would satisfy the Regional Board and the City and Citizen for Responsible Forest Management concerns for listing the water body. However, by placing the water body on the list without sufficient evidence could cause the RWQCB to develop a TMDL that is not needed.

REGION 4

Topic: Listing on insufficient data.

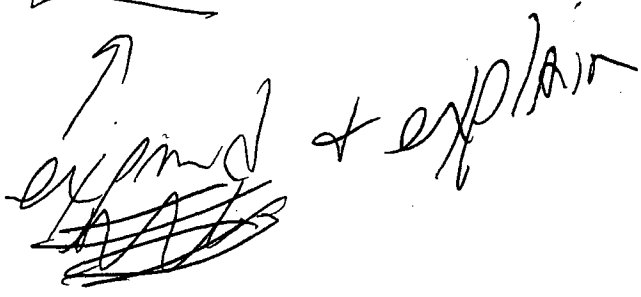
Issue: The assessment for the proposed 2002 303(d)-list prepared by the LARWQCB was heavily influenced by best professional judgement. Lacking proper guidance the regional board developed their own assessment guidelines to make listing and delisting determinations. There were often cases that listing determinations were made on the basis of a very limited number of sample results of sediment chemistry, sediment toxicity benthic infaunal community and bioaccumulation data for a given water body. It is believed that the minimum number of samples is insufficient to determine whether a water body should be listed/delisted.

Options:

1. Submit to U.S EPA the Regional Board's listing recommendations as they were submitted to the SWRCB. This is the process previously used by the State in submitting the list to the U.S.EPA. The regulated community would likely complain about listing water bodies on the basis of too little information. The 303(d) list would contain water bodies on the list requiring TMDLs for which there would not be enough information to proceed in developing a TMDL.

2. The SWRCB would review listing recommendations in consultation with Regional Board with the input from interested parties. The resulting 303(d) list would be submitted to the U.S. EPA. This is the process presently being implemented. The likelihood is that there would be a better-substantiated and acceptable list created for submittal to U:S.EPA. There are some substantial inconsistencies between the Los Angeles RWQCB proposals and the proposals be other regions.

3. Stay where we are. . . .
For the next listing cycle many of these concerns would be alleviated due to the adoption of a statewide listing policy that would establish minimum data requirements for listing /delisting.



REGION 4

Topic: Stream Reach Redefinition

Issue: The Los Angeles Regional Board redefined their water body reach description prior to the 2002 listing cycle. This has caused confusion regarding specific reaches begin or ended. In the old reach definition some water bodies were composed of 6 reaches but under the new reach definition system the number went up to 15 reaches. The problem is that the sampling stations data used to make a listing determination for the new reach segment may no longer fall within the new reach definition. It is therefor not known is the data from that sampling stations located in accordance with the old system will be applicable.

Options:

1. Leave new reach definitions in place for the 2002 303(d) listing cycle. Reevaluate during the development of the listing policy and Set specific reach definition requirements in the listing policy that will be used for several listing cycles. Require that any reach modification be completed well in advance of the next listing cycle assuring that there will be the appropriate number of sampling stations located with the new reach.

2. Reevaluate the entire regional board listing recommendations based on the new reach definitions. Identify the number of reaches that no longer have supporting information based on the new reach definition and revise the 2002 303(d) list accordingly. This option would require substantial reevaluation of the RWQCB recommendations and would slow completion of the new list.

3. Recreate the entire list on the basis of the old reach definition system for the 2002 303(d) listing cycle. This option would require complete reevaluation of the RWQCB's recommendations and would slow the completion of the new list substanitally.

have the RB BP changed? & they are try to come into compliance w/ new reaches.

REGION 5

Topic: Contaminants related to acid mine drainage in the New Idria Mines Watershed

Issue: When listed water bodies are given high priority, as it stands for the 2002 303(d) List, it means that the TMDL will be completed within 2 years. A water body designated, as low priority doesn't mean the Regional Board doesn't feel that there is an issue of concern. The low priority status means that the Regional Board feels that the TMDL wouldn't be able to be completed in the next 5 years for that water body. The Regional Board feels that San Carlos Creek, and Panoche Creek listed for mercury should remain low priority because of the focus that is already being placed on the high priority waters in the Central Valley. High priority waters that are being addressed right now are the main stem water bodies in the Central Valley region such as the Delta, Sacramento River, San Joaquin River, and Cache Creek, and also all the major tributaries in the Central Valley are all currently high priority.

Options:

1. Maintain the Low Priority status that the New Idria watershed rivers are listed as now.
   This option is the most realistic, in terms of the reality that the Regional Boards will be able to assess the condition of the watershed and complete a TMDL. It is not likely, with the large amount of water bodies already listed for mercury and other contaminants related to acid mine drainage in the Central Valley that the Regional Board will be able to give New Idria the attention it deserves within the next two years, with current resources.

2. Raise the New Idria watershed rivers to be listed as High Priority.
   To make San Carlos Creek high priority the regional board would need more resources and also the time to address it right now, which would mean not addressing one of the main stem water bodies such as the San Joaquin River. The Regional board doesn't have the resources to make San Carlos Creek or Panoche Creek a high priority, and finish a TMDL within 2 years. However, while the ongoing monitoring and investigation occurs, and as they are addressing the San Joaquin river and the Delta, more than likely the Regional Board will have take more samples from San Carlos Creek in order to quantify the loading coming from this creek and may be able to give it a higher priority status at that time. This option would completely satisfy the County of San Benito. This option would be strongly opposed by the Regional Board.

3. Raise the New Idria watershed rivers to be listed as Medium Priority. This option is the compromise between elevating the New Idria watershed rivers to High Priority or maintaining it as low priority. This option would satisfy request of the county of San Benito by elevating the priority of the listings, but not completely. This option would be opposed by the Regional Board, the case being that they do not feel they could complete a TMDL for these water bodies within five years.

REGION 6

Topic: Must we determine whether waters proposed for listing are waters of the United States during the 303(d) list process?

Issue: The Clean Water Act only applies to Waters of the United States. While most surface waters were previously considered to be Waters of the United States, the Supreme Court's decision last year in the *SWANCC* decision[1] raised significant legal questions about the extent to which certain isolated, intrastate waters may be subject to federal regulation under the act. At least two commenters have claimed waters proposed for listing are not waters of the United States, and therefore they contend we have no authority to list the waters on the 303(d) list. Those comments related to Haiwee Reservoir and Searles Lake, both in Region 6. The commenters overlook the State Board's authority over all waters of the state, under Porter-Cologne.

Options:

1. Submit a list of impaired waters without determining whether specific waters are or are not waters of the United States. A footnote could be added to the list or staff report, indicating where relevant, that the question of whether a water quality-limited segment is a water of the U.S. was raised, but that listing is not a determination of that question.
2. Submit a list that only includes, in the State Board's opinion, only waters of the United States.
3. Make a determination as to whether a water quality-limited segment is jurisdictional only if a commenter challenges the status of that water.

Staff recommend option number 1, for a number of reasons. First, while the State Board could make legal determinations as to the status of waters in the list, the record presented is not amenable to such a determination at this time. The inquiry to the Regional Boards was, and the solicitation letters sought information about, which waters of the region are attaining standards. We did not ask for information about whether the water is or is not a water of the United States. Accordingly, to undertake such an analysis we would need to reopen the record and solicit relevant comments and information. That would be ill advised given the October 1, 2002 deadline to submit the 303(d) list.

Second, after the *SWANCC* decision, the status of federal law on this subject is most uncertain. Federal agencies across the country are making inconsistent and apparently ad hoc determinations. Whether a certain isolated, intrastate, nonnavigable water has sufficient connections to interstate commerce to qualify as a water of the United States requires a fact-intensive inquiry, that requires significantly more analysis than whether the water is meeting standards. It requires a detailed evaluation of the hydrology, history, and current functions of the water in the particular watershed, and a complex legal analysis in that light. Those matters are

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[1] *Solid Waste Agency of Northern Cook County v. United States Corps of Engineers* (2001) 121 S.Ct. 675 [The Clean Water Act does not confer federal jurisdiction over an intrastate, abandoned gravel quarry merely because the quarry is frequented by migratory birds].

best considered by the Regional Board in the first instance. Notably, Region 6 staff have already committed to holding special hearings as to the two waters in question in the next few months in any event. The State Board will thereafter have the opportunity to review the appropriateness of those determinations in due course. (Wat. Code § 13320(a).)

Third, while under Porter-Cologne, the State Board has authority over all waters of the state, and nothing precludes us from including all state waters on our 303(d) list that do not meet standards, the converse is not true: Federal law requires that we include at least all waters of the United States on the list. Waters of the United States are a subset of waters of the state, and if we omit US waters, we have violated section 303(d). Our determination, therefore, as to whether a water is federally jurisdictional would only be advisory, and subject to EPA's legal interpretation in any event. If EPA disagrees, it will list the water itself.

Finally, if the State Board adopted a list that made legal determinations as to the jurisdictional status of each or any water on it, interested parties who disagreed with the determination would have no choice but to institute immediate litigation, lest they be subsequently barred from challenging the decision. The list process is controversial enough without needlessly inviting unnecessary litigation and controversy relating to an unsettled area of federal law.

In short, nothing is to be gained by the State Board making jurisdictional determinations during in the listing process, least of all on the current record that was not developed with that purpose in mind. The issues raised by the *SWANCC* decision, with their broad implications, should be addressed in a deliberate setting that contemplates the full impact associated with the determination. For these reasons, staff recommend that the State Board merely note the receipt of comments about the federal status of waters, and not take a position one way or another at this time as to any particular water.

Should you have any questions about this matter, contact Michael J. Levy, Staff Counsel, at 341-5193 or mlevy@swrcb.ca.gov.

REGION 6

Topic: Searles Lake –IMC Chemical Corp/ Calif. Dept. of Fish and Game

Issue: Searles Lake was a dry, highly saline lakebed prior to the establishment of the IMC Chemical Corp (IMCC) facility. IMCC pumps groundwater from under the lakebed of Searles Lake, extracts brine and discharges the resulting effluent (approx. 20 million gallons/day). This effluent has permanently flooded approximately 1200 acres (=2 square miles) of the dry lakebed to a depth of approximately 30 feet. According to the Dept of Fish and Game (DFG) this has created an attractive nuisance condition that attracts migrating birds, especially waterfowl and other diving birds. There are very few other sources of water available to birds migrating through this area. Over 600 dead and injured birds were found between January 2000 and early 2002, with an estimated ongoing annual kill of 486 birds. Causes of death according to necropsy analysis by DFG appear to be primarily due to salt toxicosis, salt encrustation and oiling. DFG has submitted their report, *Assessment of Natural Resource Injuries to Birds at Searles Lake* as information for the 303(d) list. IMCC has also recently submitted their own consultant's analysis of the necropsy results. Although the Lahontan RWQCB originally proposed delisting Searles Lake for salinity, the DFG report was not available to them at the time of their recommendation. Regional Board staff are re-evaluating their earlier recommendation in light of this new information. Enforcement actions against IMCC are currently in effect by both Lahontan RWQCB and DFG

In addition to the salinity issue, petroleum discharges have been a problem at the IMCC facility, and the Lahontan RWQCB has proposed a new listing of Searles Lake for petroleum hydrocarbons. IMCC has conducted facility upgrades (required by RWQCB enforcement actions) to address the recent problems associated with petroleum hydrocarbons, however petroleum hydrocarbons from previous discharges remain in the lake sediments.

IMCC contends that bird deaths are not due to hypersaline conditions, but due to dehydration. This contention is not supported by the available necropsy data. They also contend that effluent salt concentrations are less than "naturally occurring" water in ephemeral ponds in the vicinity. Since this was previously a dry lakebed, there is no "naturally occurring" water in the vicinity. IMCC has constructed a 1-acre brackish "rinse pond", however with 1200 flooded acres created by the effluent, the 1-acre site is ineffective at significantly reducing bird mortality.

Options:

1. Retain listing for salt impairment. This action is supported by the available data. Current enforcement actions by Lahontan RWQCB and DFG are supported by maintaining this listing. Reducing bird mortality at Searles Lake is supported by this action.

2. Delist for salt impairment. This action is not supported by the available data. Delisting will result in less support for ongoing enforcement actions by both Lahontan RWQCB and DFG, and will not support actions to reduce bird mortality at Searles Lake.

3. List for petroleum hydrocarbons. Although recent facility upgrades seem to have reduced floating petroleum hydrocarbon on the lake surface, there are still hydrocarbons present in the lake sediments from previous discharges. Lahontan RWQCB recommends listing for petroleum hydrocarbons.

4. Do not list for petroleum hydrocarbons. IMCC does not want Searles Lake listed for petroleum hydrocarbons. They are currently under enforcement actions due to releases of petroleum products.

5. Use the permit + enforce permit. One discharger — only! Do not develop TMDL . . . . use existing authorities. Haven't applied all Tech they can

REGION 7

Topic: Nutrient listing for New River

Issue: The Regional Board proposes to delist the New River for nutrients because of a faulty original listing. The original 1998 listing was based on the "tributary rule"- because the Salton Sea is nutrient impaired, then the New River is also impaired. There were no data to substantiate that nutrients were violating the River's water quality standards, however their Basin Plan does not have numeric standards for nitrates or phosphates. The Basin Plan does have a narrative objective for biostimulatory substances, such as nutrients. Eutrophic conditions have not been observed, presumably because of the high flow rate of the New River. Observations of nuisance odors and low dissolved oxygen in the New River have been made by the Regional Board. In addition, the Regional Board estimates that between 5-20 million gallons/day of raw sewage are discharged into the New River by Mexico. The New River is already listed for pathogens and a new listing is being proposed for low dissolved oxygen. The Regional Board believes that these listings will address the raw sewage problem and that the nutrient listing is not necessary and was done in error.

Options:

1. Maintain listing. Even though there are no numeric standards for nutrients in the Basin Plan, the fact that 5-20 million gallons/day of raw sewage enter the New River from Mexico is sufficient reason to maintain the nutrient listing. Raw sewage is a known nutrient source, and observations of nuisance odors and low dissolved oxygen, caused by raw sewage, have been observed by the Regional Board. New monitoring data collected by the Regional Board has shown high nutrient concentrations. This option would be opposed by the Regional Board.

2. Delist New River for nutrients. In 1998, the Regional Board listed the New River for nutrients based on their judgement that nutrients were potentially a problem without the benefit of any data to support their position. Currently there are no numeric standards in the Basin Plan for nutrients. The Regional Board staff believe the data they do have does not indicate that the New River should be listed. The Regional Board supports delisting the New River for nutrients.

Bart Christiansen
CWP—
Border issues

Where's the data?

Nutrients are a major problem

REGION 8

Topic: Listing of coastal creeks for fecal coliform (Buck Gully and Los Trancos Creeks)

Issue: The Regional Board proposed to list these coastal creeks, along with several others, based on fecal coliform data provided by the Orange County Health Care Agency, and based on Regional Board observations of recreation use of these creeks. Irvine Ranch is proposing that these water bodies not be listed because they are not identified in the Basin Plan, and beneficial uses of these creeks have not been designated. Photodocumentation of existing recreational use (REC-1) has been provided since the publication of the Draft Staff Report. Children use these creeks daily for wading at locations where the creeks cross local beaches. If a beneficial use already exists, whether or not the waterbody is in the Basin Plan or that use has been designated, that use must be protected according to Porter-Cologne.

Options:

1. List the six creeks. Listing will protect existing REC-1 use on Buck Gully which has perrial flow. This option will also protect the potential use on the other creeks. Regional Board staff propose to list these creeks along with Muddy Creek, Pelican Point Creek, Pelican Point Middle Creek, and Pelican Hill Waterfall. All these proposed listings are based on the same quality and quantity of data from the Orange County Health Care Agency.

2. List only those creeks with demonstrated existing REC-1 beneficial use. Regional Board staff believe that it may be appropriate to consider listing Buck Gully Creek and Los Trancos Creek as impaired only in the lower portions downstream of the Pacific Coast Highway, where documented recreational activity occurs. Regional Board staff believe that it may also be appropriate to refine the recommended listings for Los Trancos Creek and Muddy Creek as impaired only during the wet season, because the Irvine Company has committed to diverting dry weather flows in these creeks. According to the Orange County Coastkeeper, Buck Gully should be listed because of the existing use and the other creeks don't need to be listed because there is rarely any flow.

3. Do not list. Not listing will not protect existing REC-1 use. The Regional Board would strongly disagree with not listing these creeks. Coastkeeper believes it is most important to list Buck Gully. The city of Newport Beach supports NOT listing these water bodies until beneficial uses are established in the Basin Plan.

photo documentation — whats appropriate

Jean

REGION 9

Topic: Expand proposed listing for San Diego Bay to include shoreline area near the Crosby Street ("Cesar Chavez") Park.

Issue: The San Diego Bay shoreline just north of the Coronado Bridge encompasses a city park. Park users--including low-income and Spanish-speaking residents of the Barrio Logan, Logan, and Sherman heights neighborhoods--fish and swim (despite posted warnings) in the Bay from the Park's "viewing" pier, but complain that adjacent Bay sediments are toxic due to contamination by heavy metals and organic pollutants. They ask that the proposed listing for "San Diego Bay; near Coronado Bridge" be expanded to include this area (north to the 10th Avenue Pier). They site data from a 1988 Port District pre-Park-development study by Woodward-Clyde and to a more recent Bay Protection and Toxics Cleanup Program (BPTCP) report showing extensive contamination and toxicity due to the presence of chlordane, PCBs, mercury, PAHs, copper, zinc, lead, and chromium in Bay sediments offshore of the Park. City Councilmember Ralph Inzuna is on record supporting this request. The SDRWQCB choose not to include the Crosby Street Park area on its recommended 303(d) list because it received only a "moderate" ranking in the BPTCP report, which based rankings on a full complement (i.e., "weight of evidence" approach) of chemistry, toxicity, and benthic community data. The SDRWQCB employed this thinking/approach throughout its 303(d) list process.

Pros: In satisfying this request the SWRCB will appear sensitive to what is increasingly perceived as an "environmental justice" issue. Most citizens rank the value of human health above that of aquatic resources. Regardless, aquatic and recreational beneficial uses at this site may improve.

Cons: By listing these waters and developing the eventual TMDL, the SDRWQCB and SWRCB may force the Port District and/or City of San Diego to implement a costly cleanup of Bay sediments and a halt to any ongoing local discharges. Additionally, the RWQCB/SWRCB may be forced now or in the future to list all areas ranked as "moderate" in the BPTCP report.

Options:

1. No change-- do not expand existing Coronado Bridge listing to include the Crosby Street Park shoreline area.

2. Add this area to the "Watch" List. Fund additional monitoring to further evaluate conditions at this Bay site.

3. Revise the existing list to include this area.

REGION 9

Topic: Expand a 1998 listing for San Diego Bay to include the area adjacent to the South Bay Power Plant.

Issue: The same public commenters from The Crosby Street Park Issue, members of the Environmental Health Coalition of San Diego (EHC), request that the South San Diego Bay be included on the 303(d) list due to impacts from heat and chlorine in South Bay Power Plant cooling system discharges. Commenters complain that this conventional electricity-generating facility uses up to 600 millions gallons a day of Bay water for cooling purposes, and discharges it in excess of 100 degrees Fahrenheit. According to the Clean Water Act, excess heat in discharges is definitely a "pollutant" and must be included in 303(d) listing and TMDL actions. A water body such as South San Diego Bay would normally be expected to support a large juvenile fishery including species such as halibut. Commenters claim that "numerous studies" on file with the SDRWQCB indicate impairment to Bay aquatic species.

Staff at the SDRWQCB choose not to recommend listing this part of the Bay because the original report from EHC ("Deadly Power") was received after the May 02 deadline. Staff were not aware of other "readily available" reports. Therefore, the issue was not investigated.

However, the South Bay Power Plant's NPDES permit is up for renewal. A "13 2 67" letter has been issued to the Plant requesting five additional studies. Effluent limitations may be changed such that they are stringent enough to better protect the beneficial uses.

Pros: Aquatic beneficial uses in the South San Diego Bay could undoubtedly be enhanced by listing this area, implementing a TMDL, and thereby curtailing pollutant discharges to the area. Significant public comment. was received on this issue.

Cons: Other regulatory action may make listing and TMDL action unnecessary. Furthermore, implementation of a thermal TMDL for the South San Diego Bay Plant could result in significant cost to Duke Energy, the owner of the facility, at a time when cheap power-generation is so important and San Diego residents are subject to such extremely high electrical bills.

Also, studies show that warm water-loving species (both native and introduced) are now abundant in the area impacted by The Plant's thermal discharge. A 303(d) listing and a resulting TMDL may help lower water temperatures, aiding some species but hurting others. Which aquatic species within a beneficial use takes precedence?

Options:

1. No change--do not list the south San Diego Bay at the South Bay Power Plant.

2. Add this area to the "Watch" List. Fund additional monitoring to further evaluation conditions at this Bay site. Coordinate with the Department of Fish and Game, the National Marine Fisheries Service, etc. to determine how best to protect historic and current aquatic resources of the South San Diego Bay.

3. Revise the existing list to include this area.

TMDL may delay permit changes

If permit can solve problem

REGION 9

Topic: Water quality objectives for total dissolved solids (TDS) are too stringent to be reasonably achieved. Therefore, (the nine proposed) San Diego regional water bodies should not be listed for TDS.

Issue:

Local areas within the San Diego region depend for drinking water on groundwater and/or imported Colorado River water, both high in total dissolved solids (TDS). Regional water bodies, once ephemeral, are now flowing year-round due to commercial and residential discharges. These year-round flows retain high TDS levels. The surface water quality TDS objective for many regional surface waters is only 500 milligrams per liter (mg/l) (higher in some cases). In comparison, the Region's groundwater TDS objectives are usually at least 1200 to 1500 mg/l, while the Department of Health Services trigger for water unfit for consumption is 1500 mg/l TDS.

A coalition of various municipalities (e.g., San Diego County, City of Coronado, City of San Clemente, etc.) believes that it is inappropriate to list San Diego water bodies for TDS based on such low surface water quality standards. They point to significant economic impacts to regional municipalities and agriculture if these waters are listed and suppliers are forced to secure lower-TDS water from more expensive sources.

Note that SDRWQCB staff acted conservatively by not listing these water bodies as impaired due to the effects of year-round flows on native (ephemerally-adapted) species.

Pros: Removing these nine water bodies from the proposed 2002 303(d) might ease the financial burden on local municipalities.

Cons: The SDRWQCB acted legally and appropriately to list the water bodies for exceeding existing. The 303(d) list process is the not the appropriate legal arena to change existing objectives. If these waters were removed from the list, environmentalist would have a strong case for challenging the SWRCB's action. Furthermore, if these proposed listings are removed, it will open the door for challenges on the appropriateness of other water quality objectives for 2002 listing.

Options:

1. No change--do not remove the proposed listings for Agua Hedionda, Cloverdale, Felicita, Forrester, Kit Carson, and Sandia Creeks, Lake Hodges (reservoir), and the San Diego and San Luis Rey Rivers for TDS exceedences. Educate the municipalities to the proper way to attempt to see the TDS water quality objective changed (i.e., public hearings, proposal to the SWRCB and to USEPA).

2. Change the proposed reason for listing from high TDS to impacts to aquatic native species due to year-round flows.

3. Remove all or some of these water body/pollutant combinations from the 2002 proposed 303 (d) list.

COMMENT NUMBER	SUMMARY OF COMMENT	RESPONSE	REVISION	DOCUMENT SECTION
9.30020.1	Total phosphorus listings should be removed for these two water bodies (upper Santa Margarita River, lower San Diego River) because: - Alternative enforceable strategy for biostimulatory substances (Chapter 4 of Basin Plan) was ignored by SDRWQCB. - Received additional data from Rancho California Water District.	General	No	
9.30020.2	Supporting data are not spatially representative (Lake Hodges, temporally representative (Cloverdale Creek), or adequate in size (Cloverdale Creek).		No	
9.30020.3	The "one size fits all" 0.1 mg/l total phosphorus standard is inappropriate.		No	
9.30020.4	Recommends combination of techniques along with total phosphorus to evaluate impairment by phosphorus (e.g., orthophosphate, algae, DO).		No	
9.30020.5	More rigorous statistical approach should be used.		No	
9.30021.1	Supports Watch List with the following attributes: - watch-listed water bodies stay on list only 2 years, and - if insufficient data is collected in that period, automatic 303(d) listing.		No	
G.1.1	This was a comment letter sent to the Regional Boards. These comments are contained in letter #10.13 to the State Board.		No	
G.2.1	This was a comment letter sent to the Regional Boards. These comments are contained in letter #10.13 to the State Board.		No	
G.3.1	Support your proposed revisions of the federal Clean Water Act (CWA) section 303(d) list and ask you move it along to the phase of reducing pollutants reaching our waterways.		No	

COMMENT NUMBER	SUMMARY OF COMMENT	RESPONSE	REVISION	DOCUMENT SECTION
G.4.1	Support your proposed revisions of the federal Clean Water Act (CWA) section 303(d) list and ask you move it along to the phase of reducing pollutants reaching our waterways.		No	
G.5.1	Support your proposed revisions of the federal Clean Water Act (CWA) section 303(d) list and ask you move it along to the phase of reducing pollutants reaching our waterways.		No	
G.6.1	Applicable law and good policy require the State Board to consider all relevant information in making decisions with respect to the 2002 Section 303(d) List of impaired waters. The State Board should accept and reasonably consider such information that may be presented to the State Board on or before the public hearings scheduled in May 2002.		No	
G.7.1	To comprehensively evaluate "impairment" to a water body, one should first ensure the appropriate beneficial use designations have been assigned to the location. The existing basin plan beneficial use designations appear to have been established in 1994. A re-evaluation of the beneficial use designations should occur prior to consideration of water quality data that may ultimately lead to modifications to the 303(d) List.		No	
G.7.2	At a minimum, each group and/or agency contributing data for the 303(d) List process should be operating under the guidelines and protocols of a QA/QC Plan for their monitoring programs. Collection of a grab sample as opposed to a composite sample and collection of a time-weighted or flow-proportional sample should have been considered, with the data qualified accordingly. Grab samples should not be relied upon or weighted as heavily as composite, flow-proportional samples.		No	

COMMENT NUMBER	SUMMARY OF COMMENT	RESPONSE	REVISION	DOCUMENT SECTION
G.7.3	In the case of Calleguas Creek R9A, 111 water samples were collected, 15 samples exceeded Basin Plan water quality objectives, and the site will now be listed as "impaired" for nitrate. A similar case exists for Calleguas Creek R9B where foam was identified in one photograph and this site is now being placed on the "watch list" and possibly considered for listing. Statewide standardized protocol should be developed and followed for the evaluation of data and the consideration for 303(d) listing/de-listing.		No	
G.7.4	Supports efforts to improve water quality through TMDLs providing waste load allocation and implementation schedules are realisitic and achievable.		No	
G.8.1	Supports staff's recommendations to develop and place certain waterbodies on a Watch List instead of adding them to the 303(d) list when there is insufficient data to determine a waterbody's status.		No	
G.8.2	The Task Force strongly recommends that the State Board assign a high priority to the completion of the proposed Water Quality Control Policy.		No	
G.8.3	The Policiy should facilitate the use of alternative mechanisms such as Water Quality Attainment Strategies that might help maintain beneficial uses without the time, energy and expense related to TMDL development.		No	
G.8.4	The policy should address the traslation of narrative water quality objectives into numeric standards upon which TMDLs could be based. In this regard, the weight of evidence approach should be evaluated and guidance providied for its use.		No	
G.8.5	The Policy should provide guidance and criteria for removing an impaired waterbody from the 303(d) list if a TMDL, Implementation Plan, or some other implementation process has been adopted. The waterbody could then be added to the Watch list or to a separate implementation list so that progress could continue to be monitored.		No	

COMMENT NUMBER	SUMMARY OF COMMENT	RESPONSE	REVISION	DOCUMENT SECTION
G.8.6	The Policy should provide for a major re-evaluation of appropriate beneficial uses and water quality objectives in all Basin Plans.		No	
G.8.7	The Policy should identify the data standards required to place waterbodies on the 303(d) list or the Watch List so that decisions place waterbodies on these lists are based on consistent data standards statewide.		No	
G.8.8	The Policy should provide guidance that waterbodies listed for pollution or general impairment of beneficial uses be placed on the Watch List until specific pollutants have been identified and sufficient data collected to evaluate assimilation capacity and properly determine load allocations, waste load allocations, and other parameters needed to establish a TMDL.		No	
G.8.9	The policy should provide for the reassessment of legacy listings because a number of old listings have beeen continuously carried forward (e.g. organochlorine pesticides, PCBs) even though the original bases have changed and/or supporting data are lacking. For example, some of the old waterbody/pollutant combinations on the 1998 list might best be moved to the Watch List so that the scientific basis and rationale for which they were originally listed can be re-confirmed.		No	
G.9.1	Concur with the SWRCB staff recommendations to establich a "Watch List" of water bodies where the information and available data are insufficient to warrant placenment on the 3039d) list or where an alternative program is in place to address the impairment. We supoort the recommendations to place waters on the "Watch" List rather than the TMDL Development List when the cause of impairment, or stressor, is not known.		No	
G.9.2	Support the de-listing of waters where impariment is due to natural conditions.		No	
G.9.3	Support de-listing where data show no impairment of beneficial uses. In some cases, beneficial uses are not impaired even though water column or other measurements show exceedances above a water quality criterion. We support the recommendations to de-list water where the weight of evidence shows no actual impairment.		No	

COMMENT NUMBER	SUMMARY OF COMMENT	RESPONSE	REVISION	DOCUMENT SECTION
G.9.4	Support de-listing water where the l;istings were based on Elevated Data Levels.		No	
G.9.5	Support the recommendation that waters be listed based on water-body-specific information.		No	
G.9.6	Support the proposed exclusion of listings where no QA/QC procedures were used.		No	
G.9.7	Support the development of a "TMDLs Completed" List.		No	
G.9.8	Specific listings carried over from the 1998 List should be re-evaluated to ensure consitency and fairness in the listing process. The SWRCB should review, at a minimum, those 1998 listings that have been identified in the individual comment lettters as warranting de-listing or placement on the "Watch" List, and those for which development of a TMDL is planned in the next several years.		No	
G.9.9	Listing should not be based on exceedances of draft guidance or informal criteria that are not adopted water quality objectives.		No	
G.9.10	Water Bodies hould not be included on the TMDL devlopment list based upon inadequate data. The draft 2002 303(d) List still includes several examples of proposed listings that are based on a single sample, or on very limited data, such as a small number of samples, or data that are not temporally or spatially representative. This issue is exacerbated because there are no guidelines or requirements for a minimum number of sampling events or frequency of exceedances to declare a water body impaired.		No	
G.9.11	Water bodies should be placed on the "Watch" List where site-specific objectives are being developed.		No	

COMMENT NUMBER	SUMMARY OF COMMENT	RESPONSE	REVISION	DOCUMENT SECTION
G.10.1	The Watch List and the TMDL Completed List function to delist water segments from the 303(d) list. The SWRCB staff report states that both lists "should not be considered part of the Section 303(d) list". In addition the 177 water segments on the Watch List plus the 70 water segments being delisted totals 247 water segments delisted. This outweighs the 195 additions . These actions, on the whole, weaken efforts to attain water quality standards in California. At a minimum the Watch list and the TMDL Completed List should be considered part of the Section 303(d) List.		No	
G.10.2	Placing water segments on a separate Watch List or a TMDL Completed List has collateral impacts on resources, such as federal grants for monitoring and restoration that are linked to water segments on the Section 303(d) list.		No	
G.10.3	It is not clear why the SWRCB decided to place water segments on the Watch List when the Regional Board proposed listing the water segments on the 303(d) List. The SWRCB must articulate a sound reason for not listing the 23 water segments on the 303(d) List.		No	
G.10.4	The SWRCB cannot list waters on the Watch List because of other existing "Regulatory Programs" . The decision to place water segments on the Watch List because of the alleged existance of other water quality program, such as the BPTCP, is directly contrary to the law. Section 303(d) and its implementing regulations do not provide for a separate list of water segments where there is a regulatory program in place to control the pollutant but data are not available to demonstrate that the program is succesful. The very existence of such a program is proof of the fact that effluent limitations through other regulatory programs are not stringent enough to implement any water quality standards.		No	
G.10.5	The SWRCB recognizes that repeated testing and monitoring must be conducted to determine if the water segment is no longer impaired. However, there is no discussion of funding for monitoring and testing. The State must address funding for monitoring and testing in order to assure the accuracy of the Section 303(d) list.		No	

COMMENT NUMBER	SUMMARY OF COMMENT	RESPONSE	REVISION	DOCUMENT SECTION
G.10.6	There are no guidelines on what "insufficient Information" means when it is given as the reason for listing a water segment on the Watch List.		No	
G.10.7	The TMDL Completed List is contrary to the CWA. There is no basis in the CWA for delisting a water body simply because a TMDL has been written. Section 303(d) of the Act mandates that impaired water segments be listed; it does not grant EPA authority to allow states to remove water segments from the list while impairment is continuing. It is therefore improper to place water segments on the Completed TMDL List unless the Regional Board, the State Board and U.S.EPA determine that the water segments are attaining water quality standards.		No	
G.10.8	Volume I, Table 2 contains a list of proposed deletions from the 1998 303(d) list, however, the table does not provide the basis for these deletions. We request that the SWRCB add a column to the table that briefly describes the reason for delisting; these reasons should be made readily available to the concerned public.		No	
G.10.9	Volume I, Page 4 lists factors that SWRCB staff considered in making listing/delisting considerations. Included on this list are "sources of pollutants" (#12) and "availability of an alternative enforceable program"(#13). Such variables may be interesting as background data, but cannot be used to decide whether to list a water body, since they are completely irrelevant to whether a body is impaired.		No	
G.10.10	It is unclear if the delisting of water segments based on EDLs only eliminates the TMDL requirement as it relates to assuring healthy fish tissue in the segment, or if the delisting applies more broadly and eliminates the TMDL requirement for the pollutant in the entire water segment. Specifically, we are concerned about 36 water segments proposed for delisting based on EDLs in Region 4.		No	

COMMENT NUMBER	SUMMARY OF COMMENT	RESPONSE	REVISION	DOCUMENT SECTION
G.10.11	We do not believe it is proper in the context of Section 303(d) to delist water segments that were originally listed based on EDLs unless affirmative information is proffered to show that the water segment is not, in fact, impaired. Delisting water segments based on new or informal perspective on the utility of EDL information, alone, and without considering other data and information regarding that water segment, is improper under the CWA.		No	
G.10.12	We are concerned that delistings based on outdated NAS guidelines, no guidelines, or no defensible guideline are improper delistings considering the CWA and its implementing regulation. Similarly, the delisting fact sheets do not provide a statement of "good cause' for not including these water segments on the Section 303(d). Nor is there any other information or data that may reveal whether the water segments remain impaired.		No	
G.10.13	It is not clear why there are no guidelines for water segments delisted for no guidelines or guidelines no longer defensible.		No	
G.10.14	It is unclear why NAS guidelines are outdated. If the NAS guidelines are outdated, it is unclear if there are other guidelines or data available regarding the impairment of the water segments.		No	
G.10.15	We request clarification of the discussion in Volume I, page 5 regarding how the "size affected" values for the 1998 303(d) list may be changed in the 2002 list because of new GeoWBS data. There is no summary of these changes in the public documents. We request that in order to increase transparency in the process, these changes be summarized in a table in order to have meaningful public review and comment.		No	
G.10.16	We are concerned about the SWRCB proposed actions to list impaired waters segments on three separate lists: the Watch List, the Section 303(d) List, and the TMDL Completed List. The use of three lists runs contrary to the CWA and implementing regulation.		No	

COMMENT NUMBER	SUMMARY OF COMMENT	RESPONSE	REVISION	DOCUMENT SECTION
G.11.1	We support the State's proposed approach of continuing past listings identified in the final 1998 Section 303(d) list unless new data or information provides an analytical basis for removing or modifying a listing.		No	
G.11.2	We appreciate the State's commitment to provide multiple opportunities for public participation in the listing process, including the data and information solicitation process and public comment and hearing process to invite feedback on the proposed list and priority rankings.		No	
G.11.3	We support the State's efforts to assess unconventional data and information types, including sediment, fish tissue and recreational advisories, as part of the assessment process.		No	
G.11.4	Documentation of the basis for listing decisions must be improved. Some listings provide insufficient information describing the data and information considered and the basis for the listing decision.		No	
G.11.5	Waters impaired due to naturally occurring pollutant sources need to be listed. The cited language from the Basin Plans does not appear to provide a natural sources exclusion. The State needs to provide a more substantial rationale for not listing these waters or include them on the 303(d) list.		No	
G.11.6	The State must document how it considered and listed "threatened waters". Federal regulations require the listing of threatened waters, and EPA's 1997 and 2001 listing guidance documents describe how this requirement should be addressed.		No	
G.11.7	The rationales for excluding many waters (including many waters on the "watch" list) from the Section 303(d) list must be explained. Please provide a clearer explanation of how these water were assessed and the State's rationale for not including them on the 303(d) list.		No	

COMMENT NUMBER	SUMMARY OF COMMENT	RESPONSE	REVISION	DOCUMENT SECTION
G.11.8	Decisions not to list waters based on ther presence of other control programs must be justified. The State must describe how these other control programs will result in attainment of standards in a reasonable period of time, or list these waters if this description cannot be provided.		No	
G.11.9	The basis for priority ranking and targeting decisions must be described. The final listing report must explain in more detail how these decisions were made.		No	
G.11.10	We are concerned that the proposed 2002 listing decisions do not include schedules for developing TMDLs for all its listed waters. The State Board should adopt firm schedules for all listed waters in order to increase the level of accountability at the State Board level for TMDL program performance, and to provide a clearer indication to the public when TMDLs will be legally adopted by the State.		No	
G.11.11	We also encourage the state to address the following issues to improve the listing decision and utility of the list as a planning document. Follow EPA's 2001 Integrated Report Guidance concerning assessment reporting categories for all waters, and associated scheduling of follow-up monitoring. Describe more clearly the basis for the State's proposal to carry over most listings from the 1998 Section303(d) list absent new data and information. Coordinate with neigboring states with respect to assessments of waters which cross jurisdictional boundaries. Coordinate with the Fish and Wildlife Service, National Marine Fisheries Service, and State Department of Fish and Game to ensure that listing decisions address the need to protect listed species.		No	

COMMENT NUMBER	SUMMARY OF COMMENT	RESPONSE	REVISION	DOCUMENT SECTION
G.11.12	Comments 12 identify concerns that must be addressed in order for the list to meet federal listing requirements and secure USEPA approval. The majority of fact sheets provide insufficient information concerning the data and information considered, the applicable standard(s) considered, and the basis for concluding that the water should or should not be listed for a particular pollutant. The fact sheets for many waters in Regions 5 and 9 provide an appropriately detailed level of information for this purpose. We recommend that the other fact sheets be revised to provide this level of detail.		No	
G.11.13	The decision documents must more clearly describe all the data and information compiled and considered by the State. If the data and information sources identified are existing and readily available, they must be considered. If appears that several information sources identified in the references were not considered. If any data and information is excluded, EPA expects the State to provide a more detailed rationale for the decisions to exclude any data and information sources.		No	
G.11.14	We understand that the State now intends to provide a limited opportunity for the public to submit data and information which were unavailable prior to May 2001 for State consideration in the 2002 listing process. State staff should gather and consider data and information that became available between May 2001 and Spring 2002. At a minimum, the State must describe why it is reasonable to exclude from consideration, in whole or in part, more recently available data and information.		No	
G.11.15	If the State's assessment methodology provides that a minimum number of data points are needed to assess a water, the methodology must identify that minimum number and provide a reasonalbe technical rationale for the different expectations. If there is no minimum data quantity requirement, the waters for which data quantity was cited as a basis for not listing should be reevaluated consistent with a more clearly stated assessement method.		No	

COMMENT NUMBER	SUMMARY OF COMMENT	RESPONSE	REVISION	DOCUMENT SECTION
G.11.16	The state should consider listing water in cases where generic data quantity expectations are not fully met but the data indicate a reasonable likelihood of standards exceedences (e.g. very high magnitude exceedences, high exceedence rates, evidence from media which integrate water quality effects such as sediment and tissue data, and corroborating evidence from independent lines of evidence.		No	
G.11.17	The manner in which the State considered data quality is not explained in sufficient detail. The state should consider the reliability of data and whether the data is representative of water quality conditions in the water body. The state should explian how it evaluated data quality and representativeness. States should not exclude data from the assessment process unless it is demonstrated likely to be unreliable. The state's methodology should provide for listing in cases where data quality expectations are not fully met but the data indicate a reasonable likelihood of standards exceedences.		No	
G.11.18	The methodology and individual fact sheets do not clearly describe how the staff considered the 14 factors and applied a weight of eveidence approach. Ther is no basis in State stnadards or federal regulations to reuire mutiple lines of evidence to support a determination that a water is impaired or threatened. If a single line of evidence is sufficient to determine that an individual element of the standards is exceeded, the water should normally be listed. In addition, instances may arise where no single line of evidence is sufficient to support a listin decision, yet information from several lines of evidence combines to provide a basis to list a waterbody. EPA strongly encourages California to adopt this perspective to implementing its proposed weight of evidence approach.		No	
G.11.19	The fact sheets provide inadequate descriptions of the analytical basis for assessing whether individual waters attained numeric or narrative objectives. The State must provide a specific rationale supporting the selected exceedence rate(s), supported by reference to state water quality standards. The rationale should clearly explai which narrative and or numeric standards are being applied for each water body.		No	

COMMENT NUMBER	SUMMARY OF COMMENT	RESPONSE	REVISION	DOCUMENT SECTION
G.11.20	EPA is concerned about several assessments which appear to be based on application of a 10% exceedence rate for toxic pollutants. EPA's 1997 guidance for Section 305(b) water quality assessments refers to a 10% exceedence rate only for conventional pollutants. A listing decision that applies a 10% exceedence rate for toxic pollutants appears to be inconsistent with applicable water quality standards. Existing water quality standards are based on the assumption that the allowed pollutant concentration will be exceeded no more frequently that once in any three year period. The State must provide a rationale for its chosen allowable exceedence rate or rates for all pollutants, and for toxic pollutants in particular.		No	
G.11.21	We note that in different Regions and for different waters, widely varying screening criteria were applied for different pollutants and media. (This comments refers specifically to contaminated sediment and animal tissue data). The State should analyze the different approaches used and determine which screening approaches are acceptable for listing assessments.		No	
G.11.22	Several listing decisions appear to be inconsistent with each other based on application of different review criteria with respect to the following: minimum numbers of samples needed to support listing; minimum numbers or percentages of exceedences of applicable standards needed to support listings; evaluation of screening criteria for fish tissue and aquatic sediment contamination and, use of alternative enforeceable program as basis for not listing impaired waters. The final submittal must document that decision rules applied to list waters were applied consistently or that there are reasonable bases for inconsistencies.		No	

COMMENT NUMBER	SUMMARY OF COMMENT	RESPONSE	REVISION	DOCUMENT SECTION
G.11.23	Several waters are proposed for delisting based on the agrument that the pollutants come from naturally occurring sources. Unless the applicable State water quality standards provide an exemption from coverage of waters impaired due to naturally occurring sources, impaired or threatened waters must be listed regardless of the source. In the case of a water that exceeds standards solely due to naturally occurring sources, EPA recommends that the State list the water pursuant to Section 303(d) as a low priority for TMDL development and focus instead on actions to modify the applicable standard(s). We reviewed the Lahontan RWQCB Basin Plan and the particular sections cited by State and Regional Board staff as providing an exemption for waters that exceed standards due to naturally occurring causes. We disagree that the cited sections create such an exemption. Even if there were a natural sources exclusion in applicalbe water quality standards, waters that are impaired or threatened due even in part to human-caused sources must be listed unless the narrow exemptions identified in 40 CFR 130.7(b)(1) apply. We noted that several waters in Region 6 were not proposed for listing based on the argument that the "major source" is believed to be of natural origin.		No	
G.11.24	Threatened waters must be listed if a "pollutant has caused, is suspected of causing, or is projected to cause an impairment." The proposed listing report does not clearly describe whether and how the State assessed waters in order to iedntify both threatened and impaired waters. The final listing decisions and supporting report must demonstrate that the State's methodology provided for identification and listing of threatened waters.		No	
G.11.25	Numerous waters are identified for placement on a watch list without sufficient justification. No information is provided to describe how the State considered data and information concerning waters that were not on the prior 303(d) list and which the State is not proposing for inclusion on the 303(d) list or watch list. The Regional Board staff reports contained several waters proposed to be placed on the watch list that appeared to meet Section 303(d) listing requirements.		No	

COMMENT NUMBER	SUMMARY OF COMMENT	RESPONSE	REVISION	DOCUMENT SECTION
G.11.26	The fact sheets do not provide sufficient information and analysis to support the proposed decisions not to list waters based upon the existence of an alternative enforceable program. Additional documentation is necessary if the State decides to finalize these "offramping" decisions.		No	
G.11.27	Neither the methodology nor the fact sheets explain how the ranking criteria were applied for individual waters, nor does the proposal identify waters targeted for TMDL development in the next two years as required by 40 CFR 130.7(b)(4). The final listing decisions must describe how priority ranking and targeting decisions were made, and clarify which waters are targeted for TMDL development in the next two years.		No	
G.12.1	The current listing process is cumbersome, lacks sufficient data and is not timely. I propose an alternative approach that would help focus attention to the most problematic subwatersheds and could be within 12 months or less. Since there is a strong correlation between the % impervious cover in a watershed and stream condition, we should be able to predict stream condition from estimates of % impervious cover made in each watershed and subwatershed along the coast.		No	
G.12.2	Presence of invasive exotic plant species should be used as an indicator of impaired water bodies. Recommend that the distribution, abundance, species composition, and impacts of invasive plants associated with riparian habitats be aggressively included as an additional criterion in the SWRCB's protocol for assessment of impaired water bodies.		No	
G.13.1	The State needs to develop a standard that is uniformly applied throughout the state for placing stream segments on 303(d) lists. This uniformity would minimize the potential for litigation that would result from the Regional Boards' discretionary and professional judgement-based decisions.		No	

COMMENT NUMBER	SUMMARY OF COMMENT	RESPONSE	REVISION	DOCUMENT SECTION
G.13.2	A statewide Technical Advisory Committee should be assembled in order to minimize arbitrary or discretionary judgement when making listing/delisting decisions in the listing process.		No	
G.13.3	The Policy should be transparent, predictable, and reproducible. The environmental groups and the regulated community should be able to assess the same data and arrive at the same listing/delisting decisions as the RQWCB or the SWRCB.		No	
G.13.4	More time needs to be build into the listing system to allow for substantive comments and response. There are concerns for the potential that some comments will not be addressed.		No	
G.13.5	The scope of the policy should include: guidance for listing, guidance for delisting, analysis of beneficial use designation/de-designation that would flag incorrect beneficial use designations, then trigger a Use Attainability Analysis (UAA) and allow a water body in question be placed on a Watch List until the UAA is completed, examination and recommendation of water quality standards for appropriateness and whether or not the standards were legally promulgated.		No	
G.13.6	The Policy should establish core principles including decision-making procedures, assimilative studies, assessment of beneficial uses, review of criteria for each beneficial use, and site specificity.		No	
G.13.7	The Policy should establish guidance on staffing at the State and Regional level, to address difficulties and delays in reviewing data, desseminating resports and information in a timely matter due to staffing deficiencies.		No	
G.13.8	The list approval should be by the RWQCB with the final approval of a state wide list by the SWRCB. However, if the SWRCB request changes to the list, they should be allowed to do so without consulting or remanding back to the Regional Board.		No	

COMMENT NUMBER	SUMMARY OF COMMENT	RESPONSE	REVISION	DOCUMENT SECTION
G.13.9	The State should give higher priority to the 305(b) assessment, since it sets the stage for the 303(d) list and the TMDL program The 305(b) assessment includes such items as environmental impact assessment, socio-economic benefit assessments, and a description of the nature and extent of nonpoint sources of pollutants, with recommendations of control programs.		No	
G.13.10	The Watch List would be used for cases where there are insufficient or inadequate data indicating impairment, thereby identifying that addition data needs to be collected to warrant placing it on the 303(d) list.		No	
G.13.11	More details on the use of the watch list should be described in the Policy. These detail include information on the procedure utilized to get water bodies on or off the list, duration of the watch list and etc.		No	
G.13.12	The use of a two list process [preliminary (watch list) and an action list (303(d)) list] will give us an opportunity to perform a full assessment on water quality and waterbody health. The process will also allow a review of any concerns about beneficial uses and/or water quality objectives, various options such as use attainability analysis and site-specific objectives.		No	
G.13.13	The State Board should draw from other states experiences and approaches and not reinvent the process. The watch list allows us to focus on true impairments of highest priority, rather than spend time and resources on questionable impairments, so that positive results are not measurable.		No	
G.13.14	The management of 1472 listings with 800 TMDLs should be addressed in the California Listing Policy, so that concerns from both the regulated and environmental group are taken in consideration. The Policy should lead to a more focused, scientifically defensible list.		No	

COMMENT NUMBER	SUMMARY OF COMMENT	RESPONSE	REVISION	DOCUMENT SECTION
G.13.15	The usage of non-promulgated or improperly promulgated standards are not proper because it allows for inappropriate or inconsistent application of these standards for impairment decisions and represents underground regulations.		No	
G.13.16	The State needs to require a periodic review of the water quality standards and criteria used for listing and delisting. SWRCB needs to inform stakeholders that legitimate standards issues will be address the procedures or considerations that will be used to address in a timely matter.		No	
G.13.17	There should be criteria for eutrophic, mesotrophic and oligotrophic waterbodies. More discussion and research is required to define which waterbodies go under which category.		No	
G.13.18	Standards should include but not limited to: the minimum number of samples required for an impairment decision, number of allowable exceedances per numbers, sediment and tissue samples-scientifically and statistically-what is an acceptable number of samples for decision-making, calibration of modeled data, proper selection of toxcity organisms, seasonality and temporal considerations, spatial and hydrologic variations and QA/QC data should have rigorous requirements.		No	
G.13.19	Listings should not be based on symptoms e.g., algae. Symptoms are usually subjective, especially the amount which defines impairment. Listings should not be done until pollutant has been identified. For example, if abundant algae exist with low nutrient content, the major cause of growth might be sunlight (due to the destruction of riparian vegetation along streambanks), lack of scour flows, and temperature. Malibu Creek watershed includes listing for nutirents, algae, and eutrophication, all of which have more to do with the destruction of the riparian canopy and the resultant loss of shade than rising nutrients levels.		No	

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G.13.20	Since waterbodies in past and current 303(d) listings were listed without a standard listing or delisting procedure, the entire existing list needs to be reviewed for correctness after the delisting procedure has been approved and promulgated.		No	
G.13.21	Delisting is politically sensitive, therefore we recommend moving it away from the political process by establishing standardized statewide criteria and procedures.		No	
G.13.22	Suggest the following element for a delisting procedure; delisting should occur when new data shows attainment of criteria.		No	
G.13.23	Suggest the following element for a delisting procedure; delisting should occur when there are incorrect listings, or incorrect beneficial use designations.		No	
G.13.24	Suggest the following element for a delisting procedure; delisting should occur if there is insufficient or bad data.		No	
G.13.25	Suggest the following element for a delisting procedure; keep waters on the list until Water Quality Standard or Beneficial Use are restored. However on a case-by-case basis, it may be acceptable to delist or place on a watch list when control measure are already in place, or when a TMDL is developed.		No	
G.13.26	Suggest the following element for a delisting procedure; delisting should occur when a Water Effects Ratio is developed that indicates that the waterbody segment is not impaired for a given pollutant.		No	
G.13.27	Suggest the following element for a delisting procedure; delist or do not list when the waterbody fully supports the beneficial use, but is threatened.		No	
G.14.1	Support the Water Board's proposal to create a "Watch List" for several water bodies.		No	
G.14.2	To further ensure a focused regulatory process, we recommend that the Water Board also work towards completion of a proposed Water Quality Control Policy prior to development of future 303(d) lists.		No	
G.15.1	Support the "Watch List"		No	

COMMENT NUMBER	SUMMARY OF COMMENT	RESPONSE	REVISION	DOCUMENT SECTION
G.15.2	Support the idea of delisting waters where the source of pollution is naturally occurring.		No	
G.15.3	Support the concept of delisting water where Quality Control/Quality Assurance standards were inadequate or non-existent.		No	
G.15.4	Support the "TMDLs Completed" List.		No	
G.15.5	Concerned that many of the listings are there simply because they were on the 1998 list.		No	
G.15.6	Concerned that the Board will list waters that have violated informal advisory criteria instead of adopted water quality objectives.		No	
G.15.7	Listing a water body based upon a single sample, or very limited data, jumps to a conclusion that may or may not be valid. We are aware of a listing that is based upon the result of a fish tissue sample taken on a single day, and a listing based upon five samples taken during one month in 1998.	Exceedence of standards in one sample of fish tissue may be sufficient to warrant a listing. As contrasted with an instantaneous event represented by a standard water column sample, fish tissue samples represent the bioaccumulation of contaminants over a long period of time. In addition, fish tissue samples are composites of several (usually around 6) fish, and thus are more representative of ambient conditions than single grab samples. Finally, the degree of exceedence of the standard is also considered in determining whether a listing is warranted.	No	
G.16.1	The Department of Pesticide Regulation (DPR) provided information to the individual Regional Water Quality Control Boards during the initial solicitation in April 2001. DPR has not identified any additional data or information that can serve to-identify impaired water bodies.		No	

COMMENT NUMBER	SUMMARY OF COMMENT	RESPONSE	REVISION	DOCUMENT SECTION
G.17.1	The proposed three-list scheme raises concerns. According to the Draft Report, water bodies will be placed on a "Watch List" if there is insufficient data and information to list them on the 303(d) list, and placed on a "TMDLs Completed List" to show progress in developing TMDLs. The proposed "Watch List" and "TMDLs Completed List" are not part of the CWA statutory scheme. States are required to identify waters that do not meet water quality standards after the application of technology-based effluent limits, and submit one list of these waters to USEPA for approval. CALPIRG agrees with members of the AB 982 PAG that the State Board should stick closely to the federal regulaions and submit only one list, the 303(d) List.		No	
G.17.2	Concerned that the "Watch List" will be a waiting list for non-action. If there is anecdotal, minimal or contradictory information for a water being considered for listing, it is in the public interest to list the water on the 303(d) list, perhaps as low priority. The appropriate next step would be to conduct assessment work as part of the TMDL development process.		No	
G.17.3	The "TMDL Completed List" is not contemplated by the CWA. There is no basis in the CWA for delisting a water body simply because a TMDL has been prepared. 40 CFR 130.29(b) (effective 2003) states that State Boards "must keep each impaired water body on your list for a particular pollutant until it is attaining and maintaining the applicable water quality standard for that pollutant." Deviating from the statutory mandates and creating additional lists that are contradictory to the regulations suggests that the State Board is engaging in decision making based on self-interest and creates an appearance that the water bodies' contamination problems have been remedied. Many TMDLs have very lengthy implementation periods and the effective delisting of these is perhaps many years in advance of any noticeable improvements in water quality. The "TMDL Completed List" is unreasonable, misleading and unnecessary.		No	

COMMENT NUMBER	SUMMARY OF COMMENT	RESPONSE	REVISION	DOCUMENT SECTION
G.18.1	Supports and endorses staff's recommendation for a "watch" list for ater segments where there is insufficient information to support a 303(d) listing, or if a regulatory program is in place to control pollutants and there is not yet sufficient data to demonstrate success. Supports the independent assessment of water segments on the "watch" list so that they are individually judged based on the data and the science for each particular water segment. In addition to the "watch" list, recommends the SWRCB consider developing a statewide process to ensure that water segments recommended for the "watch" list are done in a consistent manner. We would urge the Board to make every effort to conduct an analysis of the 1998 list to determine which water segments should be placed on the "watch" list.		No	
G.18.2	Supports the 13 case-by-case factors that were used to evaluate regional board recommendations. However, we have found that the application of the factors by each of the regional boards is inconsistent. Further the state staff recommendations did not attempt to reconcile the differences into one consistent state methodology for listing.		No	
G.18.3	Commenter questions whether it is appropriate to use "fish advisories" as the measurement for impairment. There are no scientific criteria for when an advisory is issued.		No	
G.18.4	Question the listing of waterbodies for "unknown" pollutants or for generic "beach closures". These water bodies, at a minimum, should be moved to the "watch" list until specific pollutants can be identified and translated into numeric impairments that can be addressed.		No	

COMMENT NUMBER	SUMMARY OF COMMENT	RESPONSE	REVISION	DOCUMENT SECTION
G.18.5	Supports the use of all credible data to make impairment determinations, as is required by federal rules. It is important to use minimum requirements to determine if data is credible and scientifically defensible. Data should meet reasonable quality assurance and quality control requirements for sample collection, field and laboratory analysis, data management and samples and data are collected by trained personnel. Valid, credible data must meet the appropriate EPA, USGS, ASTM or American Public Health Association Standard Methods.		No	
G.18.6	Supports the NRC report recommendation that a statistical "weight of evidence" evaluation be used to interpret data.		No	
G.18.7	Supports a high-medium-low priority ranking system for 303(d) listed water segments. Commenter has concerns with how the criteria were used to rank water segments. Commenter believes that it is more appropriate to rank water bodies based on the importance of the water segment and on the severity of the impairment. Commenter recommends that the priority ranking also incorporate criteria that address water segment significance and degree of impairment.		No	
G.18.8	The same criteria for delisting and/or placing water bodies on the "watch" list should also be applied to water segments on the 1998 list.		No	
G.18.9	Commenter made a number of recommendations to move specific proposed listings to the "Watch" list. They also support a number of proposals to place specific water bodies on the "Watch" list. Commenter also supports the delisting of a number of specific water bodies. Comments recommend placing water bodies on the "watch" list instead of the 303(d) list in every case.		No	
G.19.1	Supports the development of a "watch list" as recommended by State Board staff.		No	
G.19.2	Supports the concept of not listing waters on the 303(d) List where there is an alternative, enforceable program in place to achieve water quality standards.		No	

COMMENT NUMBER	SUMMARY OF COMMENT	RESPONSE	REVISION	DOCUMENT SECTION
G.19.3	Commenter believes that the State Board must re-examine all waters that were placed on the 1998 Section 303(d) List under the same protocols and standards used by staff in reviewing the 2002 Regional Board recommendations.		No	
G.19.4	The State and Regional Boards are required to comply with Consent Decrees that require the development of dozens of TMDLs throughout the state on an expedited, yet wholly unreasonable time schedule. Request the State Board to formally contact US EPA Region 9 Administrator and ask Region 9 to return to Federal District Court, seeking a modification of the Consent Decrees in order for the state to perform its responsibilites in an orderly and appropriate fashion, without the specter of the short time schedules contained in the current Consent Decrees forcing potentially inappropriate decisions.		No	
G.10001.1	We are very pleased with the direction the state is going with this listing process. This is a huge improvement, in our view, over the pocess that was followed in prior years in terms of process and quality of analysis in virtually evey case. We feel that this will result in a set of decisions that are stronger and provide a better base for the development of TMDLs.		No	
G.10001.2	We support the state's approach of carrying overpass listings unless there was new data or information to support a change and we believe that this has been uheld in other states and in past listing decisions. A statewide listing policy will provide a basis for a more systematic analysis of all waters in the state when the state next reviews a 303(d) listing decision.		No	
G.10001.3	There is a need for improved documentation of the basis for decisions on certain waters. The approach of doing it water body by water body through the fact sheet approach makes sense. Since the state doesn't have a clearly explained decisions for each water body. We believe that there is enough time and resources to provide appropriate documentation for those water where the existing proposed documentation is too thin.		No	

COMMENT NUMBER	SUMMARY OF COMMENT	RESPONSE	REVISION	DOCUMENT SECTION
G.10001.4	We recommend that the State Board reconcile or explain the inconsistencies. We are concerned that the listing requirements for some water were probably to stringent and exclusive, and we are concerned about the assessments that were done possibly in Region 3, the Central Coast Region, and Region 8, the Santa Ana Region. It may be a matter of understanding how waters were assessed in those regions to help figure out whether the waters were assessed inconsistent with how water quality standards are written.		No	
G.10001.5	We support the watch list concept. We request that additional explanation is provided than in the proposed report. Also, there are some waters that didn't end up on any list, for which data was provided. It is very important to show how the data and supporting information were considered and why those water don't bolong on the 303(d) list or the watch list.		No	
G.10001.6	There are a number of water that are impaired, but were proposed not be listed because other control programs may be in place or planned. This concept can work, but it is very important to show that those other programs are actually in place and working or will be working very soon. There are 20 listings in that category around the state, and we will be working with your staff to take a very hard look at the basis for not listing those kind of waters.		No	
G.10001.7	We believe that the stae is doing the things that are the required minimums, but we would note that our national policy is the state should update their entire TMDL schedules either with their 303(d) listing decisions or about the same time. We hope that the State Board takes up the developmentof more comprehensive schedules for all the waters on this list very soon after the final list is established. It is very important to just provide the assurance to the commmunity, to the Legislature and to all the concerned parties about when individual TMDLs will come up and to show that the state really is carrying out this program in accordance with the law.		No	

COMMENT NUMBER	SUMMARY OF COMMENT	RESPONSE	REVISION	DOCUMENT SECTION
G.10001.8	The State has the foundation of a good decision, it just needs a little bit more fine-tuning. The stucture that has been set up is sound and gives what is needed to make a good decision. We will be looking for the final submittal at USEPA before October 1, 2002.		No	
G.10002.0 G.10002.5	We urge the Board to do more omprehensive review of the 1998 list, especially given the fact that there has been a develop of 13 case-by-case factors.		No	
G.10002.1	On behalf of our association I would like to, express our appreciation of thanks for finding an extension for submittal of comments.		No	
G.10002.2	We support and endorse the staff's recommendation for a watch list and accompanying criteria that has been proposed by the staff; when there is a situation with insufficient information on a water segment to suppport a 303(d) listing, and if there is a regulatory program in place to control pollutants, but there not suffcient data to demonstrate success.		No	
G.10002.3	We support the proposed case-by-case factor that have been proposed by the staff. We believe that important thing such as the minimum data quality, data samples, data tie translations and narrative criteria are all important factors and support all those 13 factors that are being included. However, we recommend that more specific standards be added to the 13 case-by-case factors, some additional specificity would be helpful for each of the factors, and it would result in more accurate information provided.		No	
G.10002.4	We support the priority ranking system for the 303(d) list water segments. The top priority ranking is imperative in order for California to address the over 1,500 water segments in an orderly and scientific fashion.. However, given all of information, there still needs to be more of a consistent review of all water segments.		No	

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COMMENT NUMBER	SUMMARY OF COMMENT	RESPONSE	REVISION	DOCUMENT SECTION
G.10002.6	We encourage the need of a statewide policy and recognize and appreciate the efforts of the State Board staff on the development of a statewide policy. We believe that there is an important need for such a policy and certainly our association us prepared to assist in whatever way we can to promote a type of policy is necessaty for future listings.		No	
G.10003.1	We appreciate the effort by the State and Regional Board staff in putting together the information and reviewing a very substantial amount of data in a relatively short period of time. This is a incredible improvement over past years effort. We also appreciate the extension on the comment period for the submission additional information for the listing process.		No	
G.10003.2	We support the watch list concept. This triage or priority approach is the best way to deal with all water bodies in the proposed listing process.		No	
G.10003.3	We do support the consent of not lising waters where there is an alternative enforceable program in place to achieve water quality standards.		No	
G.10003.4	We strongly support the need to reexamine waters that were previously on the '98 list. As in the Florida Administrative Law on the Florida Inland Water Rule, the State Boards is proposing similar concepts; the creation of a watch list or planning list, not to list for natural causes of pollution or pollutants or pollution that are not related specifically to pollutants and not list whrere there are mixing zones or site-specific objectives or criteria that are applicable. In addition it is important to recognize that EPA Region 4 approved of the model.		No	
G.10003.5	Since money for TMDLs is limited there is a need for a more scrutinized approach to listing as well as the going forward and reexaming the '98 list. Because of the 23 billion dollar deficit, the state is strapped for money to get these TMDLs done and further listings that really don't warrant it really don't seem to put the Regional Boards or the State Board in a very good position.		No	

COMMENT NUMBER	SUMMARY OF COMMENT	RESPONSE	REVISION	DOCUMENT SECTION
G.10004.1	We compliment to staff for the way they have proceeded with this listing process. The listing process is much clearer, much more open and there is a lot more information in the staff reports for someone interested in a particular listing decision to be about to take a look at it and evaluate it.		No	
G.10004.2	I compliment the Board in its leadership in taking on a very difficult question of trying to take the 303(d) listing in what I see as something of a new direction, a direction to say this list is going to be a list of waters for which TMDLs are to be developed in the state of California.		No	
G.10004.3	Many of the concepts that are proposed in the staff report are very similar to those things that the USEPA is considering in its revised watershed rule which is now called the TMDL Rule. USEPA is proposing to not to put water bodies on the TMDL list where there is an alternative program. TMDL are a tool in the toolbox that we need to use, but we need to keep in mind that they are not the all and to end all in crafting the 303(d) list.		No	
G.10004.4	We support the estblishment of a warch list and we support many of the factors that the staff has applied in determining if they should go on a watch list rather than the TMDL development list. These factors consist of insufficient data, alternative enforable program in place and unknown stressors.		No	
G.10004.5	We support delistings where impairment is due to natural conditions and where they're based on informal criteria such as elevated data levels, as an example.		No	
G.10004.6	We believe that there are a number of listings on the '98 list that suffer from the very same flaws that you have identified and addressed in the proposed 2002 listing. Even though the recommendation to leave the '98 list as is, is legally sound, is it appropriate and helpful to the state in terms of where you are trying to take this program? We suggest that you review listings on the '98 list where specific issues raise from the public, at the hearings and/or in the comments letters, be tracked with the criteria that your staff as applied to the 2002 listing.		No	

COMMENT NUMBER	SUMMARY OF COMMENT	RESPONSE	REVISION	DOCUMENT SECTION
G.10004.7	We have concerns about listings based on draft guidance or informal criteria rather than adopted water quality objectives. See comment letter 10.9.		No	
G.10004.8	We recommend one other watch list criteria that is the placement of a water body on a watch list where site-specific objectives are under development. For example, the South Bay work on copper and nickel where water bodies are carried forward on the list during site-specific development objectives to determine what the appropriate level of a particular pollutant is feasible in a water body. This needs to be determined before heading down the TMDL road. If you put those water bodies on a watch list and let the site-specific work continue, then if or when the site-specific objective is adopted or not adopted you can then commit an assessment as to whether the water body is impaired.		No	
G.10005.1	We support the addition of almost 200 impaired water body segments to the Draft 2002 list and the fact that you are using the 1998 list as a basis for what we are seeing in 2002.		No	
G.10005.2	We feel that a watch list can be really easily exploited and used as a delay tactic for cleaning up impaired water bodies. We believe that the watch list is contrary to the clear intent of the Section 303(d) and implementing regulations.		No	
G.10005.3	The believe that the dividing of impaired water bodies among various lists, such as the TMDL completed list or the watch list, really has no regulatory or legal significance. This process can be viewed as delisting and move us further away fromachieving water quality objectives.		No	
G.10005.4	We disagree with the Board's decision to require that the explicit linkage be made between an impaired water body and the source of its pollution prior to adding that water body to the list. The source of pollution has relevance as background data, but whether it exists or not does not change the fact that the water body is impaired, which therefore meets the criteria for listing.		No	

COMMENT NUMBER	SUMMARY OF COMMENT	RESPONSE	REVISION	DOCUMENT SECTION
G.10005.5	We believe that the process of listing water bodies has to be separated from management strategies that could be implemented to remedy the impairment.. The fact that water quality management programs, such as Toxic Hot Spots programs, for example, exist should provide all the more reason to list water bodies as opposed to not list them. The existence of these programs in concert with continued water quality impairment acts as evidence that listing is warranted.		No	
G.10005.6	A number of creeks in Santa Clara County are severely impacted by trash. Regions 2 has confirmed that excessive levels of trash are found in virtually all urbanized waterways within the Region, but they have failed to propose any water bodies due to trash, because other efforts have been in place to deal with this problem. Right? The fact that existing management efforts are in place and have failed provides us with even more reason to add these waters to the 303(d) list.		No	
G.10006.1	While we appreciate the amount of information involved in evaluating water bodies, we feel that the information at the administrative record is not as effective as it could be. This is due to the fact that a lot of the information was missing. Also, having the information available in Sacramento from 8 - 4, I feel is prohibitive and limits access, which leads directly to transparency. I request that the relevant information be available and accessible on the Web.		No	
G.10006.2	We oppose the watch list regardless of any existing alternative or enforceable programs or for lack of sufficient data. This does not negate the fact that it is an impaired water body and that it does, indeed, need to be listed.		No	

COMMENT NUMBER	SUMMARY OF COMMENT	RESPONSE	REVISION	DOCUMENT SECTION
5.20008.1	The watch list could be applied on a helpful basis, and it could be perhaps misapplied.		No	
5.20008.2	We note that EPA has adopted a section 304(a) for standard and criteria for chemicals (ie chlorphyrifos). Yet, the Regional and State Boards are moving towards using the Department of Fish and Games standards, which are not in the Basin Plan and have not been reviewed and adopted as EPA criteria.	R6, R7, R8	No	
5.20008.3	Then narrative standards at the Central Valley Board need clarification (ie pesticide narratives). We believe that the pesticide standard is the clearer standard to use in the Central Valley in regards to pesticides. However, the toxicity standard and chemical constituency standard have different twists also can be applied.		No	
5.20008.4	The data uese for Del Puerto proposed listing was collected in 1991 through 1993. There were only 10 sites of 30 sites that exceeded the Fish and Game standard. Since then, the water body has not been noticed or reviewed. This listing would be a better fit for the Watch List.		No	
5.20008.5	Ingram Creek requires more evaluation. The data that was used for listing is old. Seven out of 26 sites exceeded the Fish and Game alleged level. This listing would be a better fit for the Watch List.		No	
6.1.1	Board should issue relief that Haiwee Reservoir be designated as a drinking water reservoir and found not to have the status of a water of the United States.	Per Harold Singer of the LRWQCB, "I concur with the SWRCB staff proposal to keep these water bodies on the 303(d) list. It would make sense, as proposed by IMC Chemicals, to footnote these water bodies, indicating that the Regional Board will make a formal determination as to whether these are or are not 'Waters of the U. S'."	No	
6.1.2	Board should issue relief that Haiwee Reservoir be removed from the 303(d) list of California's impaired water bodies.		No	

R6

COMMENT NUMBER	SUMMARY OF COMMENT	RESPONSE	REVISION	DOCUMENT SECTION
6.1.3	Board should determine that the federal and state Safe Drinking Water Acts require the application of copper sulfate to Haiwee Reservoir as an algacide in order to meet secondary drinking water standards prescribed by those laws.		No	
6.1.4	Board should determine that Haiwee Reservoir is not subject to any TMDL process because it is not a water of the United States and that the application of drinking water chemicals to the reservoir is required by the Department of Health Services as well as the laws of the United States and California.		No	
6.2.1	Request that the Board footnote or asterisk references to Searles Dry Lake (and similarly situated waters) and note that a determination whether or not the water is a "water of the U.S." will be made by the Regional Board during the basin planning process.	Per Harold Singer of the LRWQCB, "I concur with the SWRCB staff proposal to keep these water bodies on the 303(d) list. It would make sense, as proposed by IMC Chemicals, to footnote these water bodies, indicating that the Regional Board will make a formal determination as to whether these are or are not 'Waters of the U. S'."	No	
6.2.2	Include Searles Dry Lake (and similarly situated waters) on Part 4 of the Section 303(d) List for which TMDLs are not requried under 40 CFR 130.27(a)(4)	40 CFR 130.27 is part of the federal 2000 TMDL Final Rule, which has not taken effect; therefore the multiple-part list is not being used in the preparation of the 2002 303(d) update.	No	
6.2.3	Submit the State's Section 303(d) list to Federal EPA with the explanation that the list covers both waters of the state and waters of the U.S.		No	
6.3.1	Commenter is in agreement with the rational for, and is in support of, the proposed delisting of Owens Lake.	comment noted.	No	
6.4.1	Haiwee Reservoir, Searles Lake - Lahontan RWQCB concurs with the SWRCB staff proposal to keep these water bodies on the 303(d) list. It would make sense to footnote these water bodies, indicating that the Regional Board will make a formal determination as to whether these are or are not "Waters of the U. S."		No	

COMMENT NUMBER	SUMMARY OF COMMENT	RESPONSE	REVISION	DOCUMENT SECTION
6.5.1	The State Board Staff Report recommends delisting of the Mojave River for TDS, sulfate and chloride. Since the Mojave River was never listed for these pollutants, delisting is not appropriate. These waterbody-pollutant combinations should be removed from the final listing/delisting recommendations to be considered by the State Board in September 2002.	Correction made in Final Report	No	
6.5.2	Clarify Recommendations for the Woodfords to Paynesville and Paynesville to State Line segments of the West Fork of the Carson River. The Woodfords to Paynesville segment is listed for percent sodium in the factsheets in Volume 3 of the State Board staff report, but it is not listed in the summary table in Volume 1. This waterbody-pollutant combinationshould be added to the recommended list in Volume 1. Listing of the Woodfords to State line segment was not addressed in the State Board staff report. This may be a oversight due to limitations of the GeoWBS database, and the fact that the segment refered to in the Regional Board staff report consists of two Geo-WBS-mapped segments. The final proposal should include listing for pathogens either for these two mapped segments or for the combined Woodfords to State Line segment.	Corrections made in Final Report.	No	
6.5.3	Lahontan Region recommended that Searles Lake be delisted for salinity/TDS/Chlorides because the high salinity is due to natural sources. The State Board Staff Report states that there is insufficient information to delist. Enclosed are data from sampling of natural waters and brine ponds that show that the salinity of the brine ponds is the same or less than that of the natural waters. Based on this information we recommend that Searles Lake be delisted for salinity.	Searles Lake was a dry lakebed prior to the establishment of the IMCC facility. The lake was formed by the discharge of treated groundwater from the IMCC facility. Little or no "natural" sources of surface water exist. Information provided by the Department of Fish and Game indicates that high salinity is the primary cause of waterfowl mortality at Searles Lake. Listing for salinity/TDS/chloride is retained.	No	

COMMENT NUMBER	SUMMARY OF COMMENT	RESPONSE	REVISION	DOCUMENT SECTION
6.5.4	The Lahontan Regional Board recommended listing Heavenly Valley Creek for chloride and phosphorus. The State Board Staff Report did not recommend listing because the major sources were believed to be natural. Forest Service data showed that numerical water quality objectives were violated in 1997 and 1998. Heavenly Valley Creek has had higher phosphorus and chloride concentrations than those found in Hidden Valley Creek, which is in a relatively undisturbed watershed. The Heavenly Valley Creek watershed probably has increased phosphorus loading from erosion due to watershed disturbance for ski resort development, and increased chloride loading due to salt use for snow melting around resort facilities and /or snow grooming on ski runs. We believe that Heavenly Valley Creek should be listed for both pollutants as recommended. We concur that Hidden Valley Creek need not be listed because the sources are likely natural.	Final Report has been revised to show listing of Heavenly Valley Creek for chloride and phosphorus.	No	
6.5.5	The Lahontan Regional Board recommended listing Heavenly Valley Creek for chloride and phosphorus. The State Board Staff Report did not recommend listing because the major sources were believed to be natural. Forest Service data showed that numerical water quality objectives were violated in 1997 and 1998. Heavenly Valley Creek has had higher phosphorus and chloride concentrations than those found in Hidden Valley Creek, which is in a relatively undisturbed watershed. The Heavenly Valley Creek watershed probably has increased phosphorus loading from erosion due to watershed disturbance for ski resort development, and increased chloride loading due to salt use for snow melting around resort facilities and /or snow grooming on ski runs. We believe that Heavenly Valley Creek should be listed for both pollutants as recommended. We concur that Hidden Valley Creek need not be listed because the sources are likely natural.	No change to Hidden Valley Creek recommendation.	No	
6.6.1	The data indicate that Searles Lake should be listed for neither of the two pollutants recommended by the State Water Board staff: petroleum hydrocarbons and salinity/TDS/Chlorides	Information provided by the Department of Fish and Game indicates that high salinity is the primary cause of waterfowl mortality at Searles Lake. Listing for salinity/TDS/chloride is retained.	No	

COMMENT NUMBER	SUMMARY OF COMMENT	RESPONSE	REVISION	DOCUMENT SECTION
6.6.2	The Water Quality Control Plan for the Lahontan Region does not designate either the surface water or the groundwater under Searles Lake as a source of drinking water. Thus, the salinity, TDS, and chlorides present in Searles Lake brine should not be evaluated against the use of brine as drinking water.	Information provided by the Department of Fish and Game indicates that high salinity is the primary cause of waterfowl mortality at Searles Lake. Wildlife, not drinking water, is the beneficial use impairment. Listing for salinity/TDS/chloride is retained.	No	
6.6.3	IMCC removes brine from the subsurface of Searles Lake, and pumps the brine to its in situ mineral extraction facilities where various minerals, primarily salts, are removed. After this removal process, the partially depleted brine is discharged to the surface of Searless Lake where it collects in two ponds, identified as the dredge pond and percolation pond, or is injected into the subsurface brine under permits issued by U.S.EPA. Logic would indicate that IMCC removes rather than adds to the salinity, TDS, and chloride levels in the Searles Lake. Data support this conclusion.	The highly saline surface water in Searles Lake results primarily from the discharge of treated groundwater from the IMCC facility. Information provided by the Department of Fish and Game indicates that high salinity is the primary cause of waterfowl mortality at Searles Lake. Listing for salinity/TDS/chloride is retained.	No	
6.6.4	A study conducted at Searles Lake found that the concentration of TDS, chloride, sodium and other minerals were higher in the ephemeral waters than in the depleted brine ponds. The levels of salinity, TDS and chlorides in the brine discharged from IMCC are also less than the levels found in the subsurface brine.	The highly saline surface water in Searles Lake results primarily from the discharge of treated groundwater from the IMCC facility. Information provided by the Department of Fish and Game indicates that high salinity is the primary cause of waterfowl mortality at Searles Lake. Listing for salinity/TDS/chloride is retained.	No	
6.6.5	IMCC submitted a report by Dr. Michael Fry of UC Davis to the Lahontan Regional Board that is based upon an extensive review of clinical case reports, pathology reports and toxicological data concerning deceased birds collected at Searles Lake. Dr. Fry found that 54% of the birds died from either dehydration or salt intoxication, and that the much more likely cause of death was dehydration. Dr. Fry found that the trace minerals in the liver samples collected from the deceased birds found at Searles lake were very different from the ratios in the brine. Thus, the weight of evidence indicates that the deceased birds found at Searles lake died of dehydration and not from drinking the brine.	The highly saline surface water in Searles Lake results primarily from the discharge of treated groundwater from the IMCC facility. Bird necropsy information and other information provided by the Department of Fish and Game indicates that high salinity is the primary cause of waterfowl mortality at Searles Lake. Listing for salinity/TDS/chloride is retained.	No	

COMMENT NUMBER	SUMMARY OF COMMENT	RESPONSE	REVISION	DOCUMENT SECTION
6.6.6	The IMCC discharge ponds are not the only source of surface brine at Searles Lake. Ephemeral waters occur at other locations of the lake and provide naturally-occurring surface water during at least part of the year.	The highly saline surface water in Searles Lake results primarily from the discharge of treated groundwater from the IMCC facility. Bird necropsy information provided by the Department of Fish and Game indicates that high salinity is the primary cause of waterfowl mortality at Searles Lake. Listing for salinity/TDS/chloride is retained.	No	
6.6.7	There are numerous examples in Volume III where the State Water Boards staff has taken the position that salinity should be delisted because the salinity is due to natural causes. Searles Lake should be treated no differently.	he highly saline surface water in Searles Lake results primarily from the discharge of treated groundwater from the IMCC facility. Bird necropsy information provided by the Department of Fish and Game indicates that high salinity is the primary cause of waterfowl mortality at Searles Lake. Listing for salinity/TDS/chloride is retained.	No	
6.6.8	The State Water Board staff's proposal found a link between oil at Searles Lake and waterfowl mortality. However, the enclosed report from Dr. Fry demonstrates that this link is not present. Only one bird had detectable hydrocarbons on feathers or in stomach contents. This bird became immersed in hydrocarbons that had been collected by the skimmer. IMCC has worked to close any access points through the skimmer netting.		No	
6.6.9	If Searles Lake is kept on the Section 303(d) list for one or both of the constituents discussed above (salinity/TDS/chlorides, petroleum hydrocarbons), IMCC repeats the request made to Mr. Michael Levy that a footnote or asterisk be added to any reference to Searles Lake. An Accompanying note would explain that inclusion of Searles Lake does not reflect a determination that the lake is a water of the United States, and that this determination will be made during the basin planning process currently underway.	Per Harold Singer of the LRWQCB, "I concur with the SWRCB staff proposal to keep these water bodies on the 303(d) list. It would make sense, as proposed by IMC Chemicals, to footnote these water bodies, indicating that the Regional Board will make a formal determination as to whether these are or are not 'Waters of the U. S'."	No	

COMMENT NUMBER	SUMMARY OF COMMENT	RESPONSE	REVISION	DOCUMENT SECTION
6.7.1	Under historic natural conditions, Searles Lake offered little to no habitat for loons, grebes and ducks (the primary species impacted). Information from historical accounts of the area state that during most of the year, the wettest part of the "lake" is described as "soft ground". Additionally, detailed survey notes from the 1930s describe the wettest areas as "muddy". Most accounts, dating back to 1873, simply describe the lakebed as "dry". In short it seems doubtful that ducks and grebes would have had even enough water to float on. Historically it is likely that very little mortality occurrred simply because birds did not stop there. This stands in stark contrast to the current situation, where the groundwater under the lakebed is pumped above ground and used for industrial purposes. It is then discharged into the constructed brine effluent ponds, which offer sufficiently deep water year round to attract large numbers of migrating birds. The salinity level (up to 600 ppt) is such it kills many of the birds that are attracted to it.	Searles Lake remains listed for salt/TDS/choride.	No	
6.7.2	The Department of Fish and Game believes that the wastewater ponds constructed at Searles Lake are an on-going threat to wildlife. We have documented hundreds of bird deaths at these ponds. Furthermore the mortality is on-going. The vast majority of bird deaths are due to the hypersaline conditions (e.g. salt toxicosis and salt encrustation).	Searles Lake remains listed for salt/TDS/choride.	No	
6.8.1	Buckeye Creek, Robinson Creek - More regulatory activity is not warranted.	The opinion of the comment author is noted.	No	
6.8.2	As suggested by a recent NAS report, biomonitoring/bioassessment should be performed in place of standard water quality chemical monitoring.	The NAS TMLD Report states that bioassessment should be performed in addtion to, not instead of, standard water quality chemical monitoring. In cases where biological impairment is identified, chemical monitoring is necessary to evauluate whether the biological impairment has a chemical cause.	No	

COMMENT NUMBER	SUMMARY OF COMMENT	RESPONSE	REVISION	DOCUMENT SECTION
6.8.3	Region 6 fecal coliform, nitrate, and phosphate standards should be made consistent with other regions. Certain beneficial use designations are inappropriate.	Region 6 water quality standards for these constituents are more protective than those in other Regions because of the requirement to protect Lake Tahoe from euthrophication and further degradation in clarity. Regional Boards establish water quality standards at the levels needed to protect beneficial uses of the Regions waters, and thus standards may differ among Regions due to differences in local watershed characteristics.	No	
6.8.4	The RWQCB recommendation to list Robinson Creek for nitrates is based on insubstantial evidence (I.e., due to 1 exceedence out of 6 samples). Other, better, data refutes listing this water body/pollutant.	Robinson Creek is not proposed to be added to the 303(d) list for nitrates. It will be given a high priority for monitoring by placement on the Watch List.	No	
6.8.5	The RWQCB recommendation to list Buckeye Creek for phosphates is based on insubstantial evidence (I.e., due to 1 exceedence out of 9 samples). Other, better, data refutes listing this water body/pollutant.	Buckeye Creek is not proposed to be added to the 303(d) list for phosphates. It will be given a high priority for monitoring by placement on the Watch List.	No	
6.8.6	Buckeye Creek - The RWQCB standard for pathogens, 20 colonies/100 mg, is too low to justify recommending this Creek for listing. This should go on the Watch List, but not on the 303(d) list.	Changes to the 1998 303(d) list are based upon exceedances of existing water quality objectives. The Lahontan RWQCB objective for fecal coliform allows no more than 10% of samples to exceed 40 colonies/100 ml. In two sets of samples this standard was exceeded in 50% and 43% of samples. Determining whether or not there is a need for changing water quality standards is part of the triennial review of the Basin Plan, and is not part of the 303(d) process. No change to listing.	No	
6.8.7	Best Management Practices, rather than other regulatory action (listing/TMDLs) are a better mechanism for protecting water quality in these Creeks (Buckeye Creek, Robinson Creek).	TMDLs are required for waters that are not attaining standards after implementation of technology-based controls. BMPs can be incorporated into TMDL Implementation Plans.	No	
6.9.1	At this time, no public agency or private organization is engaged in the long-term monitoring of water quality and ecological conditions in Martis Creek Reservoir and its tributaries.		No	

COMMENT NUMBER	SUMMARY OF COMMENT	RESPONSE	REVISION	DOCUMENT SECTION
6.9.2	Anecdotal evidence, such as a report published in the Sierra Sun in early June, 2002, implies the reservoir's trout fishery is at a twenty-year low. Angler survey data collected by the Department of Fish and Game between 1996 and 2001 indicate the number of trout of all species reported caught at Martis Creek Reservoir has fallen dramatically. Angling harvest is not a significant cause in depressing trout populations at Martis Creek Reservoir, as the state requires all sport-caught fish there to be released.		No	
6.9.3	Fish kills are not unknown at Martis Creek Reservoir. One such event in the autumn of 1997 lead to a Fish Pathologist Report prepared by the California Department of Fish and Game.		No	
6.9.4	The few water quality indices available for Martis Creek imply the reservoir is undergoing nutrient loading from sources upstream. The data collected for total Kjeldahl nitrogen (TKN), total phosphorus (TP), and total dissolved solids (TDS) shows that biostimulatory nutrients are flowing through and possibly from the Lahontan development. These nutrients presumably end up in martis Creek Reservoir, which is approximately two miles downstream.		No	
6.9.5	The SWRCB and the LRWQCB should immediately initiate a monitoring program to track water quality in the reservoir and its tributaries, and should immediately initiate a study to examine the ecological health of Martis Creek Reservoir, using trout as the primary indicator species, and develop ways to restore this health and also protect the lake from future degradation.		No	
6.9.6	Current water quality objectives do not seem intended to protect the beneficial uses provided by the reservoir and its tributaries because Martis Creek's water quality stardards are less stringent than those for other streams along the Truckee River. Martis Creek standards were developed to take into consideration discharge from the wastewater treatment plant located downstream from Martis Creek Reservoir. Water quality can be expected to worsen over the next two decades as Martis Valley upstream from the reservoir continues to develop.		No	

COMMENT NUMBER	SUMMARY OF COMMENT	RESPONSE	REVISION	DOCUMENT SECTION
6.10.1	Since the State regulatory structure is successfully addressing the issues raised at Searles Dry Lake, action under Section 303(d) and the development of TMDLs is not necessary.		No	
6.10.2	Bird mortalities were observed by the California DFG in the Searles Valley Basin . The DFG alleged that IMCC was responsible for the illegal taking of migratory birds due to the hyper-saline nature of the mineral brine and releases of trace hydrocarbons into the percolation pond from IMCC. IMCC has implemented a number of measures designed to keep birds from landing on Searles Lake and to retrieve and rehabilitate birds that did manage to land and become distressed. These measure have proven to be very effective in reducing waterfowl mortality at Searles Lake. In addition, DFG and IMCC are negotiating an agreement that will authorized the "take" of a certain number of birds in exchange for IMCC's agreement to contribute towards an off-site project designed to increase waterfowl habitat. Actions taken by DFG and IMCC under State law address bird mortality at Searles Dry lake.	Although some efforts have been made, as a result of regulatory actions, towards reducing bird deaths at Searles Lake, it remains a continuing problem. Impairment of the wildlife use of Searles Lake is sufficient cause that it be retained on the 303(d) list for salinity/TDS/chlorides.	No	
6.10.3	Searles Lake - Necropsies performed on the birds by UC Davis and DFG showed that approximately half the mortalities were due to natural causes and the other half were likely due to dehydration. A single bird death may have resulted from petroleum contact when a bird managed to crawl into a netted emergency skimmer. No other bird mortalities have been documented as occurring from petroleum contact in the process ponds.	Ongoing releases of petroleum hydrocarbons to surface water at the IMCC facility have been reduced, however the lake sediments still contain petroleum hydrocarbons from previous releases.	No	
6.10.4	Revised WDRs have further tightened the numerical discharge limitations, and committed IMCC to an ambitious program to investigate the constituents in its discharge brine, and to explore state-of-the-art methods for minimizing the presence of non-native constituents. A Cease and Desist Order was amended to conform to the revised WDRs. A Cleanup and Abatement Order was issued that requires submittal of a cleanup work plan. An Administrative Civil Liability settlement commits IMCC to implementing additional control measures. Because of the effectiveness of the State program, regulation of IMCC under the federal program is not needed.		No	

COMMENT NUMBER	SUMMARY OF COMMENT	RESPONSE	REVISION	DOCUMENT SECTION
6.10.5	Because IMCC does not believe that Searles Lake is a "water of the U.S.", regulation of Searles Lake under the federal program is inappropriate.		No	
6.10.6	The water that occasionally exists at the surface of Searles Dry Lake simply evaporates or percolates below the surface. There is also no foreseeable use of the occasional surface brine and pooled rainwater in interstate commerce. It is economically and technically impracticable to mine the surface water because of its intemittant nature and very shallow depth. Therefore, the occasional surface water at Searles Dry Lake does not meet the criteria of Subsection (c)(3). Discharges to this water are not discharges to water of the United States.	Surface water at Searles lake is deep enough to attract diving waterfowl.	No	
6.2002.1	Opposes the proposed listing of the Mojave River for PCE and TCE.	Mojave River is not proposed for 303(d) listing for PCE and TCE. It is proposed to be placed on the Watch List for these constituents.	No	
6.20001.1	Reiterated their written comments regarding their contention that Haiwee Reservoir is not a "water of the U.S.", and that the City is required to treat the reservoir with copper sulfate because it is a drinking water supply.		No	
6.20003.1	Does not want Robinson Creek place on the "Watch" list.	The Watch List designates surface waters which require further monitoring to evaluate whether these waters should be added to the 303(d) list during the next listing cycle.	No	
6.20003.2	Does not want Buckeye Creek placed on the "Watch" List. For phosphorus. Wants Buckeye Creek placed on the "Watch" List, instead of being placed on the 303(d) list for pathogens, as currently proposed.	The Watch List designates surface waters which require further monitoring to evaluate whether these waters should be added to the 303(d) list during the next listing cycle. Changes to the 1998 303(d) list are based upon exceedances of existing water quality objectives. The Lahontan RWQCB objective for fecal coliform allows no more than 10% of samples to exceed 40 colonies/100 ml. In two sets of samples from Buckeye Creek, this standard was exceeded in 50% and 43% of samples. Determining whether or not there is a need for changing water quality standards is part of the triennial review of the Basin Plan, and is not part of the 303(d) process. No change to listing.	No	
6.20004.1	Searles Lake should be delisted for hydrocarbons, salinity, TDS and chlorides.		No	

COMMENT NUMBER	SUMMARY OF COMMENT	RESPONSE	REVISION	DOCUMENT SECTION
6.20005.1	Searles Lake listings were made on the basis that other regulatory mechanisms would not solve the pollutant problem within the next 303(d) listing cycle (2 years).		No	
6.20005.2	Lahontan Region is prepared to look at the "water of the U.S." issue for these two waters.(Searles Lake/Haiwee Reservoir)		No	
7.1.1	The Colorado River Basin RWQCB proposes to delist the New River for nutrients. The available data and information demonstrate that the New River is tributary to a nutrient water quality limited segment (Salton Sea). However the New River is not itself a nutrient water quality limited segment, since no data or information demonstrate that water quality in the New River fails to meet water quality standards. While monitoring data collected by the Regional Board for the New River indicates that the River carries nutrients from Mexico and from Imperial County at relatively high concentrations, the Region's Basin plan has no numeric water quality objectives for nutrients for the River.		No	
7.1.2	Typically, nutrient water quality impacts manifest themselves in algal blooms, nuisances (e.g. objectionable odors) and low dissolved oxygen conditions. While we have documented the latter two items as being present in the New River downstream of the International Boundary with Mexico, we have no evidence that they are caused by nutrients. In fact, the evidence we have clearly indicates that they are caused by the 5 to 20 on gallons of raw sewage that the River carries from Mexico on a daily basis.		No	
7.2.1	Staff lists "Potential Source of Pollutant" as "5-20 million gallons per day of raw sewage from Mexico discharged to New River", and "Alternative Enforceable Program" as "Mexican-American Water Treaty". Both are wrong. PVID's Outfall Drain is about 95 Colorado River miles north of the Mexican Border, it does not connect to the New River, and I am not aware of it being covered by that treaty. If data from New River was used to place PVID's Outfall Drain on this 303(d) list, then PVID's Outfall Drain status should be reevaluated.		No	

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7.2.2	The beneficial use categories provided in the Region 7 Basin Plan, as currently written, are overly broad, and do not accurately or adequately reflect the characteristics of PVID's canals or agricultural drains (including PVID's Outfall Drain) as they existed when the beneficial uses were first designated. PVID believes it is inappropriate to designate constructed waterways dominated by agricultural drainage as REC-1 water bodies and as being comparable to natrual freshwater streams.The source and type of water should be taken into consideration when defining the associated water quality objectives. PVID requests a more suitable and consistent list of beneficial uses be developed along with water quality objectives and an implementation process that is appropriate for agricultural drains which does not undermine the intended purpose of the drains.		No	
7.2.3	Water entering our canal system form the Colorado River has a TDS exceeding 530 ppm. This exceeds the USFWS standard for freshwater habitat of 500 ppm. Water in our agricultural drains has TDS values ranging from 1200 to 2460 ppm. The designation WARM (Warm Freshwater Habitat) does not fit PVID's canals or drains.		No	
7.2.4	Re-examine the water quality objectives applicable to PVID's canals and drains and establish separate water quality objectives appropriate for these waters. In establishing these water quality objectives to agricultural waters, PVID requests the Board to develop new water quality objectives based on local species and ambient conditions, or, as an alternative, use the lowest mean acute value of toxicity tests.		No	
7.3.1	Region 7 improperly listed the New River as impaired by nutrients in 1998. The New River carries about 5 to 20 million gallons per day of raw sewage from Mexico. Although the raw sewage has relatively high concentrations of nitrate and phosphates, the Regional Board has no numeric standards for nitrate, phosphate, or other biostimulatory substances for the river; or evidence that the nutrients are actually impairing the River's beneficial uses.		No	

COMMENT NUMBER	SUMMARY OF COMMENT	RESPONSE	REVISION	DOCUMENT SECTION
7.30001.1	I believe we're required now to provide further items as to how we can go about delisting the New River.		No	
8.1.1	Pelican Point Creek, Muddy Creek - Due process has not been followed, and that it is not appropriate for these watersheds to have the beneficial uses assigned to them.		No	
8.1.2	Pelican Point Creek, Muddy Creek - There is no basis for the Coastal Creeks to be placed on the list of impaired waters.		No	
8.1.3	Pelican Point Creek, Muddy Creek - Urge the State Board to refrain from taking action until the proper local procedures are followed as outlined by state and federal laws.		No	
8.1.4	Pelican Point Creek, Muddy Creek - There are absolutely no recreational uses and the creeks clearly are not potential sources of municipal drinking water. In addition, the large areas of habitat that surround our community support significant wildlife that contributes to the level of bacteria found in the creeks.		No	
8.1.5	Pelican Point Creek, Muddy Creek - There are hundreds, maybe thousands, of small watersheds throughout the state with similar flows and bacteria concentrations that, like our coastal creeks, cannot meet the standards of the beneficial uses preserved for these creeks even in their natural condition. Placing these waters on the impaired waters list would create TMDL gridlock without any commensurate real-world benefit.		No	
8.2.1	Pelican Point Creek, Muddy Creek - Due process has not been followed, and it is not appropriate for these watersheds to have the beneficial uses assigned to them.		No	
8.2.2	Pelican Point Creek, Muddy Creek - There is no basis for the Coastal Creeks to be placed on the list of impaired waters.		No	

COMMENT NUMBER	SUMMARY OF COMMENT	RESPONSE	REVISION	DOCUMENT SECTION
8.2.3	Pelican Point Creek, Muddy Creek - Urge the State Board to refrain from taking action until the proper local procedures are followed as outlined by state and federal laws.		No	
8.2.4	Pelican Point Creek, Muddy Creek - There are absolutely no recreational uses and the creeks clearly are not potential sources of municipal drinking water. In addition, the large areas of habitat that surround our community support significant wildlife that contributes to the level of bacteria found in the creeks.		No	
8.2.5	Pelican Point Creek, Muddy Creek - There are hundreds, maybe thousands, of small watersheds throughout the state with similar flows and bacteria concentrations that, like our coastal creeks, cannot meet the standards of the beneficial uses preserved for these creeks even in their natural condition. Placing these waters on the impaired waters list would create TMDL gridlock without any commensurate real-world benefit.		No	
8.3.1	Buck Gully Creek, Los Trancos Creek, Muddy Creek - Photographs show children and toddlers playing in these creeks as they flow across the beach in the middle of summer, laden with bacteria and the typical pollutants found in urban runoff. This was a daily occurrence.		No	
8.3.2	Buck Gully Creek, los Trancos Creek, Muddy Creek - Support the Region 8 staff recommendation for the inclusion of these Newport Coast creeks on the 303(d) list.		No	
8.4.1	Based on discussions with SWRCB legal counsel, if a beneficial use is in fact an existing use, whether or not the waterbody is in the Basin Plan, that use must be protected. Regional Board staff have observed recreational use of Buck Gully Creek and photodocumentation of recreational use was also provided by Orange County CoastKeeper. Buck Gully Creek is used for REC1 and REC2 beneficial uses.		No	

COMMENT NUMBER	SUMMARY OF COMMENT	RESPONSE	REVISION	DOCUMENT SECTION
8.4.2	Based on discussions with SWRCB legal counsel, if a beneficial use is in fact an existing use, whether or not the waterbody is in the Basin Plan, that use must be protected. Regional Board staff have observed recreational use of Buck Gully Creek and photodocumentation of recreational use was also provided by Orange County CoastKeeper. Los Trancos Creek is used for REC1 and REC2 beneficial uses. Because The Irvine Co. has committed to diverting dry weather flows to Los Trancos Creek, it may be appropriate to refine our recommended listing to impaired only during the wet season.		No	
8.4.3	Because The Irvine Co. has committed to diverting dry weather flows to Muddy Creek, it may be appropriate to refine the RWQCB recommended listing to impaired only during the wet season.		No	
8.4.4	Santa Ana Delhi Channel - Delete MUN beneficial use from Summmary of Recommendations and Fact Sheets		No	
8.4.5	Pelican Point Creek - Delete MUN beneficial use from Summmary of Recommendations and Fact Sheets		No	
8.4.6	Pelican Point Middle Creek - Delete MUN beneficial use from Summmary of Recommendations and Fact Sheets		No	
8.4.7	Pelican Hill Waterfall - Delete MUN beneficial use from Summmary of Recommendations and Fact Sheets		No	
8.4.8	Seal Beach (San Gabriel R. mouth to Main St. pier - Delete MUN beneficial use from Summmary of Recommendations and Fact Sheets		No	
8.4.9	Huntington State Beach (Newland Ave. to Santa Ana River) - Delete MUN beneficial use from Summmary of Recommendations and Fact Sheets		No	
8.4.10	Newport Beach (1000 feet down coast of Santa Ana River) - Delete MUN beneficial use from Summmary of Recommendations and Fact Sheets		No	
8.4.11	San Diego Creek, Reach 1 - Delete MUN beneficial use from Summmary of Recommendations and Fact Sheets		No	
8.5.1	Cncerned with the listing of Reach 1 of San Diego Creek as impaired due to the presence of fecal coliform.		No	

COMMENT NUMBER	SUMMARY OF COMMENT	RESPONSE	REVISION	DOCUMENT SECTION
8.5.2	Concerned about the proposed MUN, REC 1 and Rec 2 beneficial uses for water bodies currently under consideration by the Santa Ana RWQCB as part of their triennial review of the Santa Ana River Basin Plan.		No	
8.6.1	The Santa Ana- Delhi Channel originated from an agricultural irrigation ditch, which later on was improved for flood control purposes in the 1940s and lined with concrete and rip-rap in the 1970s. The water supply contained within the open portion of this flood control facility is derived from surface runoff. This surface runoff runs through various storm drain systems prior to making its way to the Santa Ana- Delhi Channel, which is fenced and posted to keep the public out. To designate its use for activities such as drinking, swimming, hiking or boating is completely impractical and undesireable.		No	
8.6.2	Recommends that the Regional Board make its overiding priority the review and revision of the beneficial uses and the water quality objectives so they become relevant and appriopriate for use in the stakeholder's stormwater cleanup programs.		No	
8.7.2	A severe problem is the development of water qulaity objectives for conflicting beneficial uses. WARM, WILD and RARE beneficial uses generate bacterial and viral laden wastes that will prevent water bodies from meeting REC1 water quality objectives. An example of a water body with conflicting designations is Canyon Lake East Bay, which has been designated WARM, REC1 and REC2.		No	
8.7.1	IRWD believes that a number of water bodies should not have been listed as impaired but were, in fact, listed as a result of inappropriate beneficial use designations. Examples given for (MUN), (REC1), and (REC2).		No	
8.8.1	Comment consists of a Table stating watershed acreage and dry weather flows for Pelican Point Creek, Pelican Point Middle Creek, Pelican Hill Waterfall, Buck Gully Creek, Los Trancos Creek, and Muddy Creek		No	

COMMENT NUMBER	SUMMARY OF COMMENT	RESPONSE	REVISION	DOCUMENT SECTION
8.9.1	Multiple water bodies - Concerned that the Regional Board applied inappropriate water quality objectives and designated beneficial uses to many of the proposed revisions. The Coalition believes that the selection of beneficial uses should be made with consideration of the condition of a water body, the overall advantage of achieving a given designated use and the cost of achieving a designated use. In particular, the Coalition questions the appropriateness of beneficial use designations for flood control channels, concrete-lined channels, and water bodies with limited access. Example- Delhi Channel		No	
8.9.2	Board should adopt an approach to regulating, maintaining, and improving water quality through measures which are as technically proficient as possible. The State Board should consider an economic analysis to evaluate the impact of implementing Basin Plan water quality objectives to nonpoint sources, including storm water and urban runoff.		No	
8.9.3	To ensure that designated uses are feasible and appropriate, we urge that the State Water Board consider a use attainability analysis before developing any TMDLs.		No	
8.9.4	State Water Board should consider issues of economic efficiency and social impact in reviewing the recommendations of the Santa Ana Regional Water Quality Control Board. State Board should ensure that any revisions to the 303(d) list are consistent with section 13241 of the State's water code.		No	
8.10.1	The City supports a finding that Newport Bay and its tributaries are water quality limited due to trash and debris.		No	
8.10.2	The City supports a finding that Santa Ana River and its tributaries are water quality limited due to trash and debris.		No	

COMMENT NUMBER	SUMMARY OF COMMENT	RESPONSE	REVISION	DOCUMENT SECTION
8.10.3	Buck Gully Creek - Amend the Region 8 Basin Plan to identify beneficial uses for this creek prior to listing it as water quality limited for total coliform and fecal coliform. These contaminants do cause significant impairments to the creek, which drains into an Area of Special Biological Significance (ASBS).		No	
8.10.4	Los Trancos Creek - Amend the Region 8 Basin Plan to identify specific beneficial uses for this creek prior to listing it as water qulaity limited for total coliform and fecal coliform. These contaminants do cause significant impairments to this creek, which drains into an Area of Special Biological Significance (ASBS).		No	
8.10.5	Muddy Creek - Amend the Region 8 Basin Plan to identify specific beneficial uses for this creek prior to listing it as water quality limited for total coliform and fecal coliform. These contaminants do cause significant impairments to this creek, which drains into an Area of Special Biological Significance (ASBS).		No	
8.10.6	Newport Beach Shoreline - This segment of ocean shoreline done not have any significant record of impairment from total coliform or fecal coliform that warrants listing at this time.		No	
8.11.1	Lake Forest - We currently monitor the Lake on a weekly basis for temperature, clarity and oxygen. As requested in the Notice of Extended Public Solicitation for Water Quality Data and Information, a copy of the test results is enclosed with this request.		No	
8.12.1	The Regional Board expressed concern about the process for developing the 303(d) list since it appears to take much of the local input and control of the process out of the Regional Board's jurisdiction. It was unclear exactly what the Regional Board's role was in the listing process.		No	

COMMENT NUMBER	SUMMARY OF COMMENT	RESPONSE	REVISION	DOCUMENT SECTION
8.12.2	Testimony and a letter presented at the January Board meeting by the Orange County Public Facilities and Resources Department (PFRD) expressed concern that the beneficial uses for the Santa Ana Delhi Channel have not been established in the Basin Plan and that it is therefore premature to consider 303(d) listing. Additionally, photos submitted by the PFRD show portions of the Channel as concrete-lined with recreation access restrictions. The PFRD and others, including members of the Board, questioned whether a REC-1 use designation would be appropriate for this water body.		No	
8.13.1	The Basin Plan has no established beneficial uses for the Santa Ana-Delhi Channel although the lower section (approximately a half-mile) would constitute a tidal prism of a flood control channel discharging to Bay waters. In fact the proposed triennial work plan of the Regional Board recommends adding appropriate beneficial uses for Santa Ana Delhi Channel, recognizing that this has not been done. Santa Ana-Delhi Channel above the tidal prism should not be considered as water quality limited for REC-1 and REC-2 since these beneficial uses are currently being proposed by the Regional Board.		No	
8.13.2	The Basin Plan exempts many channels in Orange County from the MUN designation, therefore this listing is inappropriate. No areas of Santa Ana-Delhi Channel should be considered as water quality limited for MUN since this beneficial use is not applicable.		No	
8.13.3	Since the data used for the proposed listing closed in May 2001, most of the fecal coliform data available for comparison with the REC-1 and REC-2 objectives were 3 to 5 years old and do not reflect current conditions. This is a very limited dataset for listing purposes and may be highly influenced by seasonal winter conditions. Evaluation of the tidal prism of Santa Ana-Delhi Channel as water quality limited for REC-1 and REC-2 due to bacterial indicators should be based on a comparison of fecal coliform data to the WQO and limited to non-storm conditions. If such data does not support the listing, the tidal prism of the Santa Ana-Delhi Channel should not be listed as water quality limited for REC-1 and REC-2.		No	

COMMENT NUMBER	SUMMARY OF COMMENT	RESPONSE	REVISION	DOCUMENT SECTION
8.13.4	Santa Ana-Delhi Channel as a whole is not conducive in its entirety for either a REC-1 or REC-2 use and would be extremely dangerous during rain events. The tidal prism is partially within an ecological reserve operated by the Department of Fish and Game and swimming is prohibited by the Department.		No	
8.14.1	The Santa Ana Delhi Channel is not conducive for either REC-1 or REC-2 use and would be extremely dangerous during rain events. It has restricted public access and is gated and fenced for flood control puposes.		No	
8.14.2	The tidal prism of the Santa Ana Delhi Channel is partially within an ecological reserve operated by the Department of Fish and Game (DFG). DFG prohibits swimming in the reserve.		No	
8.14.3	Inappropriate water quality objectives and designated beneficial uses are being applied to the Santa Ana Delhi Channel. The selection of beneficial uses should be made with consideration of the condition of a water body, the overall advantage of achieving a given use, and the cost of achieving this goal.		No	
8.14.4	The basin plan has no established beneficial uses for the Santa Ana Delhi Channel.		No	
8.14.5	The Santa Ana Regional Water Quality Control Board should define water quality criteria in terms of frequency, magnitude and duration so that the 303(d) list would be formulated with consideration of these factors. Subsequent Total Maximum Daily Loads (TMDLs) based upon water quality objectives would then be more reasonably enforceble.		No	
8.14.6	Santa Ana Delhi Channel - Three years have transpired since the data for the proposed listing was collected. The fecal coliform data available for comparison with the REC-1 and REC-2 objectives is dated and may not reflect current conditions.		No	
8.14.7	Request removal of the Santa Ana Delhi Channel from the proposed 303(d) list.		No	

COMMENT NUMBER	SUMMARY OF COMMENT	RESPONSE	REVISION	DOCUMENT SECTION
8.15.1	The county of Orange owns the Santa Ana/Delhi Channel and the Channel is concrete lined to carry flows primarily during rainstorms. How could such a Channel be placed on this list, when the regulations, under which it was recommended, pertain to the protection of recreational uses.		No	
8.15.2	The data used to place the Santa Ana Delhi Channel on the 303(d) list was taken 3 years ago. How can this data be used to establich a designation today when the current environment more likely than not has changed? Does the data apply to the whole Channel or just portions of the Channel?		No	
8.15.3	Santa Ana-Delhi Channel - In all the documentation either reviewed online or received from other parties, there appears to be no reference to a cost/benefit analysis. First of all, when is the cost benefit analysis done and if it is, where is it located in statue or regulation?		No	
8.16.1	Buck Gully has perennial flows in the amount of 250,000 gallons per day throughout the entire dry season; April 15- Oct. 15. This creek has consistent daily recreation uses, which are well documented by approximately 100 photos. It drains a large developed area of residential projects and carries urban runoff from all of them. Sampling data has been supplied to the Regional Board. The staff of the Regional Board supports our recommendation to list Buck Gully. Please consider our request to add Buck Gully to the 303d list.		No	
8.16.2	We agree with your recommendations for Los Trancos Creek and Muddy Creek, as they do not have flows either.		No	
8.17.1	We support the addition of Huntington State Beach (from Newland Avenue to the Santa Ana River) to the 303(d) list for bacteria.		No	
8.17.2	We support the addition of Newport Beach (1000 feet down coast of the Santa Ana River) to the 303(d) list for bacteria.		No	

COMMENT NUMBER	SUMMARY OF COMMENT	RESPONSE	REVISION	DOCUMENT SECTION
8.17.3	We support the addition of San Diego Creek (Reach 1) to the 303(d) list for fecal coliform.		No	
8.17.4	We support adding the Santa Ana Delhi Channel to the 303(d) list for fecal coliform.		No	
8.17.5	The Watch List should be eliminated. In many if not all instances, the Watch list and TMDLs Completed List function to "delist" water segments from the 303(d) List. Most, if not all of the water segments on the Watch List should be listed on the 303(d) List. Since these segments are not on the section 303(d) List, the Watch List constitutes a delisting of these impaired water segments. Placing an impaired water body on any list other than a 303(d) list violates the mandate in Section 303(d), even if there is "a regulatory program in place to control the pollutant but data are not available to demonstrate that the program is successful". Even where data are available it is generally not clear how a water body qualified for the Watch List. There are no guidelines on what "insufficient information means". Putting waters on a list with no basis in statute will not make them better priorities for monitoring money.		No.	
8.17.6	The TMDLs Completed List should not remove waters from the 303(d) list. The TMDLs Completed List has a similar delisting effect, and is likewise contrary to the Clean Water Act. The Clean Water Act contains no basis for delisting a water segment merely because a TMDL has been written. It does not grant EPA authority to allow states to remove water segments from the list while the impairment is continuing. Section 303(d) focuses on impaired water segments meeting attainment standards. The water segments on the TMDLs Completed List should be on the 303(d) List, because they remain impaired.		No	

COMMENT NUMBER	SUMMARY OF COMMENT	RESPONSE	REVISION	DOCUMENT SECTION
8.17.7	Uppper and Lower Newport Bay should not be delisted for fecal coliform, nutrients or siltation. San Diego Creek (Reaches 1 and 2) should not be delisted for nutrients or siltation. The stated reason for delisting these waters is "because TMDL has been incorporated into Basin Plan." Adoption of a TMDL does not mean the water segment is no longer impaired, and is therefore not sufficient grounds for delisting. Certain delistings have been prematurely proposed, as those waters remain impaired. Empirical assessement must be performed before any legal status (listing or delisting) is established. There is no basis in the Clean Water Act for delisting a water body simply because a TMDL has been completed.		No	
8.17.8	Defend the Bay strongly supports the SWRCB's use of the 1998 303(d) List as the basis for the 2002 list. We also support the additions the SWRCB has made to the list.		No	
8.17.9	Volume I, Table 2 contains a list of proposed deletions from the 1998 Section 303(d) list. These reasons should be made readily available to the concerned public. We request that the SWRCB add a column to that table that briefly describes the reason for the delisting. In Region 8 the SWRCB should describe why it proposes deletion of Upper and Lower Newport Bay for fecal coliform, nutrients and siltation; deletion of San Diego Creek (Reaches 1 and 2) for nutrients and siltation; and Santa Ana River (Reach 3) for nitrogen and Total Dissolved Solids.		No	
8.17.10	We request clarification of the discussion in Volume I, p. 5. The "size affected" values for the 1998 list may change in the 2002 list because of new GeoWBS data. The changes must be summarized in a table in order to have meaningful public review and comment.		No	
8.17.11	Defend the Bay and the Natural Resources Defense Council encourage the State Water Resources Control Board to list Newport Bay as an impaired water body due to trash. (Additional comments and materials provided in support of this request).		No	

COMMENT NUMBER	SUMMARY OF COMMENT	RESPONSE	REVISION	DOCUMENT SECTION
8.17.12	Defend the Bay and the Natural Resources Defense Council encourage the State Water Resources Control Board to list the Santa Ana River as an impaired water body due to trash. (Additional comments and materials provided in support of this request).		No	
8.18.1	The National Marine Fisheries Service (NMFS) recommends that Huntington Harbor be added to the 303(d) list, as impaired due to infestation by the highly invasive marine alga Caulerpa taxifolia. Caulerpa was found in Huntington Harbor in August 2000 and was one of the first known infestations along the Pacific Coast of North America. Spread of this alga throughout the Mediterranean has already resulted in devastating ecological and economic consequences. As a biological material released through discharges of waste, Caulerpa can be considered a pollutant as defined in the Clean Water Act. The presence of Caulerpa impairs and threatens greater impairment of the beneficial uses of Huntington Harbor, including estuarine habitat, marine habitat, contact water recreation, and commercial and sport fishing. If Caulerpa spreads to the ocean, the beneficial uses of the entire Pacific Coast are also at risk.		No	
8.30001.1	Commenter joins the City of Newport Beach in supporting the listing of the Santa Ana River as an impaired water body for trash.		No	
8.30002.1	I have observed trash floating in the water and littered all along the riverbed. This trash will be washed into the ocean during the next storm. I urge the water board to list the Santa Ana River as being trash impaired.		No	
8.30003.1	The river mouth is one of the worst beaches I've seen with regard to the accumulation of trash along the coastline. I support listing the Sant Ana River as an impaired water body due to trash.		No	
8.30004.1	I appreciate you're not adding to the list Muddy, Buck Gully or Los Trancos and we would request further consideration to delete from the listing the three small Pelican Hill creeks and allow the existing permits to handle the cleanup process through BMPs. Also see comments in letter 8.1.		No	

COMMENT NUMBER	SUMMARY OF COMMENT	RESPONSE	REVISION	DOCUMENT SECTION
8.30005.1	Delhi Channel, unlike some of the other channels that perhap are being used for storm drain purposes that previously were creeks or rivers, Delhi has never been a creek or a river. Delhi was an irrigation ditch back in the 1940's. It was improved with riprap and concrete lining on the bottom. It's fenced. It's simply a part of the storm drain system and is no different than the pipes in the ground that also serve that system. See letter 8.6.		No	
8.30006.1	A particular concern is the listing of San Diego Creek Reach 1 as impaired due to fecal coliform. Trash is a problem in San Diego Creek that can be reduced effectively with very low tech solutions. This is not the case with fecal coliform. Fish and wildlife are abundant in the area, as is animal waste. For this reason we do not believe that MUN and REC-1 uses are compatible with wildlife uses. Request that the Board take action to assure that the 303(d) list ansd associated beneficial uses result in realistic water quality objectives for the stakeholders.		No	
8.30007.1	Our organization submitted the coastal creeks for inclusion on the 303(d) list because we noticed that in Buck Gully in particular there were daily occurances of adults, children and toddlers playing in the flow across the beach. Our concern about the state's recommendation is that it includes the creeks that have little or no dry flow, but excludes the one with the highest dry flow, Buck Gully, which has existing REC-1 and REC-2 uses. Also see letters 8.3 and 8.16.		No	
8.30008.1	Impaired waters should not be delisted because TMDLs have been completed. Delisting waters that are still impaired is a violation of the Clean Water Act.		No	
8.30008.2	Eliminate the Watch List and TMDLs Completed List. Listing impaired waters on any other list besisdes the 303(d) list is a violation of the CWA.		No	
8.30008.3	We support adding Newport Bay to the 303(d) list for impairment due to trash. Trash impairs the beneficial uses of Newport Bay as they are listed in the Basin Plan.		No	

COMMENT NUMBER	SUMMARY OF COMMENT	RESPONSE	REVISION	DOCUMENT SECTION
8.30008.4	We support adding the Santa Ana River to the 303(d) list for impairment due to trash. Trash hinders the beneficial uses of the Santa Ana River.		No	
8.30009.1	As a result of a treatment system (constructed wetland) designed to improve regional water quality, the REC-1 water quality objectives established for San Diego Creek may be violated. San Diego Creek has limited if any recreational uses. Some beneficial use desginations have been misapplied.		No	
8.30010.1	See also letter 8.9. The Regional Water Board applied inappropriate water quality objectives and designated beneficial uses to many of the proposed revisions.		No	
8.30010.2	The Board should adopt an approach to regulating, maintaining and improving water quality through measures which are as technically proficient as possible.		No	
8.30010.3	The Board should consider an economic analysis to evaluate the impact of implementing basin plan water objectives to non-point sources including storm water and urban runoff. You should consider the need for developing housing, the probable beneficial uses of any given water body.		No	
8.30010.4	Review each Region's Basin Plan with particular focus on the designated beneficial uses and water quality objectives prior to adding water bodies to the final 303(d) listing.		No	
8.30011.1	See also letter 8.9. We want to make it clear that some of the water bodies in Orange County that have been designated for recreational uses maybe ought not to be and there should be consideration of the condition of a water body, the advantages of achieving a designated use,and the costs of achieving a designated use.		No	
8.30012.1	You should focus on creating standards that will create and earn public support as well as produce reasonable, sensible and appropriate applications that match the designated use and keep costs in line with the overall objectives of what we all want, and that's good water quality.		No	

COMMENT NUMBER	SUMMARY OF COMMENT	RESPONSE	REVISION	DOCUMENT SECTION
8.30013.1	Santa Ana Delhi Channel - Beneficial uses should be designated first, before 303(d) listing efforts. Also see letter 8.13.		No	
9.1.1	San Diego River & Sycamore Creek are polluted by urban runoff, do not support designated beneficial uses, and should be on the 303(d) List.		No	
9.1.2	Notify the correspondent of all future meetings/hearings on this issue.		No	
9.2.1	San Diego Bay near Crosby Street Park should be added to 303(d) List because of (a) sediment toxicity, (b) chemical contamination (of sediments), and (c) loss of beneficial uses (swimming, fishing).		No	
9.2.2	South San Diego Bay near South Bay Power Plant should be added to the 303(d) List because of impacts from heat, copper, and chlorine on marine life.		No	
9.3.1	Rancho California Water District's monitoring reports (which were not referenced in the RWQCB report) show that Murrieta Creek beneficial uses are not impaired due to exceedence of the Basin Plan's phosphorus water quality objective.		No	
9.3.2	Use of (0.1 mg/liter) Basin Plan objective for phosphorus as indicator of impacts to beneficial uses is "improper and unscientific" for listing Murrieta Creek and the Upper Santa Margarita River.		No	
9.3.3	Use of the Basin Plan water quality objective for phosphorus to list Murrieta Creek runs contrary to RWQCB Order Number 96-54 (NPDES CA0108821) and the Implementation Plan portion of the Basin Plan, which grant the Rancho California Water District an exception to the 0.1 mg/liter objective.		No	
9.3.4	The River Monitoring and Management Program (RMMP), required by the Rancho California Water District's NPDES permit, would implement corrective actions if impairments to aesthetics, fish and wildlife habitat, or other beneficial uses are detected. The RMMP found no such evidence of impairment to Murrieta Creek beneficial uses.		No	

COMMENT NUMBER	SUMMARY OF COMMENT	RESPONSE	REVISION	DOCUMENT SECTION
5.20.1	~~The Citizens for Safe Water in Habitats request~~ that fill consideration be taken in the revisons to the Clean Water Act section 303(d as to how 'floridation' discharges affect the TMDL load and fish population in the San Joaquin River and tributaties. ~~We are particularly~~ concern with the cities of Merced and Los Banos. We are submitting an initial review with bibliographical notation as to what and how so called imported 'fluoridation chemicals' are doing as pollutants to our CA drinking and tap water quality, and WWTP discharges to our rivers and aquifers.		No	
6.1.1	~~Los Angeles requests this~~ Board to issue relief that Haiwee Reservoir be designated as a drinking water reservoir and found not to have the status of a water of the United States.		No	
6.1.2	~~Los Angeles requests this~~ Board to issue relief that Haiwee Reservoir be removed from the 303(d) list of California's impaired water bodies.		No	
6.1.3	~~Los Angeles requests this~~ Board to determine that the federal and state Safe Drinking Water Acts require the application of copper sulfate to Haiwee Reservoir as an algacide in order to meet secondary drinking water standards prescribed by those laws.		No	
6.1.4	~~Los Angeles requests this~~ Board to determine that Haiwee Reservoir is not subject to any TMDL process because it is not a water of the United States and that the application of drinking water chemicals to the reservoir is required by the Department of Health Services as well as the laws of the United States and California.		No	
6.2.1	Footnote or asterisk references to Searles Dry Lake (and similarly situated waters) and note that a determination whether or not the water is a "water of the U.S." will be made by the Regional Board during the basin planning process.		No	
6.2.2	Include Searles Dry Lake (and similarly situated waters) on Part 4 of the Section 303(d) List for which TMDLs are not requried under 40 CFR 130.27(a)(4)	40 CFR 130.27 is part of the federal 2000 TMDL Final Rule, which has not taken effect; therefore the multiple-part list is not being used in the preparation of the 2002 303(d) update.	No	

COMMENT NUMBER	SUMMARY OF COMMENT	RESPONSE	REVISION	DOCUMENT SECTION
6.2.3	Submit the State's Section 303(d) list to Federal EPA with the explanation that the list covers both waters of the state and waters of the U.S.		No	
6.3.1	LADWP is in agreement with the rational for, and is in support of, the proposed delisting.		No	
6.4.1	I concur with the SWRCB staff proposal to keep these water bodies on the 303(d) list. It would make sense, as proposed by IMC Chemicals, to footnote these water bodies, indicating that the Regional Board will make a formal determination as to whether these are or are not "Waters of the U. S."		No	
6.5.1	The State Board Staff Report recommends delisting of the Mojave River for TDS, sulfate and chloride. Since the Mojave River was never listed for these pollutants, delisting is not appropriate. These waterbody-pollutant combinations should be removed from the final listing/delisting recommendations to be considered by the State Board in September 2002.		No	
6.6.1	We believe the data indicate that Searles Lake should be listed for neither of the two pollutants recommended by the State Water Board staff: petroleum hydrocarbons and salinity/TDS/Chlorides		No	
6.6.2	The Water Quality Control Plan for the Lahontan Region does not designate either the surface water or the groundwater under Searles Lake as a source of drinking water. Thus, the salinity, TDS, and chlorides present in Searles Lake brine should not be evaluated against the use of brine as drinking water.		No	
6.6.3	IMCC removes brine from the subsurface of Searles Lake, and pumps the brine to its in situ mineral extraction facilities where various minerals, primarily salts, are removed. After this removal process, the partially depleted brine is discharged to the surface of Searless Lake where it collects in two ponds, identified as the dredge pond and percolation pond, or is injected into the subsurface brine under permits issued by U.S.EPA. Logic would indicate that IMCC removes rather than adds to the salinity, TDS, and chloride levels in the Searles Lake. Data support this conclusion.		No	

COMMENT NUMBER	SUMMARY OF COMMENT	RESPONSE	REVISION	DOCUMENT SECTION
6.6.4	A study ~~conducted by Kennedy/Jenks Consultants on behalf of IMCC~~ found that the concentration of TDS, chloride, sodium and other minerals were higher in the ephemeral waters than in the depleted brine ponds. The levels of salinity, TDS and chlorides in the brine discharged from IMCC are also less than the levels found in the subsurface brine.		No	
6.6.5	IMCC submitted a report by Dr. Michael Fry of UC Davis to the Lahontan Regional Board that is based upon an extensive review of clinical case reports, pathology reports and toxicological data concerning deceased birds collected at Searles Lake. Dr. Fry found that 54% of the birds died from either dehydration or salt intoxication, and that the much more likely cause of death was dehydration. Dr. Fry found that the trace minerals in thenliver samples collected from the deceased birds found at Searles lake were very different from the ratios in the brine. Thus, the weight of evidence indicates that the deceased birds found at Searles lake died of dehydration and not from drinking the brine.		No	
6.6.6	~~Moreover~~, the IMCC discharge ponds are not the only source of surface brine at Searles Lake. Ephemeral waters occur at other locations of the lake and provide naturally-occurring surface water during at least part of the year.		No	
6.6.7	There are numerous examples in Volume III where the State Water Boards staff has taken the position that salinity should be delisted because the salinity is due to natural causes. Searles Lake should be treated no differently.		No	
6.6.8	The State Water Board staff's proposal found a link ~~between~~ oil at Searles Lake and waterfowl mortality. However, the enclosed report from Dr. Fry ~~demonstrates~~ that this link is not present. Only one bird had detectable hydrocarbons on feathers or in stomach contents. This bird became immersed in hydrocarbons that had been collected by the skimmer. IMCC has worked to close any access points through the skimmer netting.		No	

COMMENT NUMBER	SUMMARY OF COMMENT	RESPONSE	REVISION	DOCUMENT SECTION
6.6.9	~~If the State Board keeps~~ Searles lake on the Section 303(d) list for one or both of the constituents discussed above, IMCC repeats the request made to Mr. Michael ~~Levy~~ that a footnote or asterisk be added to any reference to Searles Lake. An accompanying note would explain that inclusion of Searles Lake does not reflect a determination that the lake is a water of the United States, and that this determination will be made during the basin planning process currently underway.		No	
6.7.1	Under historic natural conditions, Searles Lake offered little to no habitat for loons, grebes and ducks (the primary species impacted). Information from historical accounts of the area state that during most of the year, the wettest part of the "lake" is described as "soft ground". Additionally, detailed survey notes from the 1930s describe the wettest areas as "muddy". Most accounts, dating back to 1873, simply describe the lakebed as "dry". In short it seems doubtful that ducks and grebes would have had even enough water to float on. Historically it is likely that very little mortality occurrred simply because birds did not stop there. This stands in stark contrast to the current situation, where the groundwater under the lakebed is pumped above ground and used for industrial purposes. It is then discharged into the constructed brine effluent ponds, which offer sufficiently deep water year round to attract large numbers of migrating birds. The salinity level (up to 600 ppt) is such it kills many of the birds that are attracted to it.		No	
6.7.1	The Department of Fish and Game believes that the wastewater ponds constructed at Searles Lake are an on-going threat to wildlife. We have documented hundreds of bird deaths at these ponds. Furthermore the mortality is on-going. The vast majority of bird deaths are due to the hypersaline conditions (e.g. salt toxicosis and salt encrustation). ~~We have enclosed our report "Assessment of Natural Resource Injuries to Birds at Searles Lake, 1998 to 2001, which details the on-going bird mortality and our efforts to study the problem. This report was prepared for the Lahontan Regional Water Quality Control Board and presented to them on April 10, 2002.~~		No	

COMMENT NUMBER	SUMMARY OF COMMENT	RESPONSE	REVISION	DOCUMENT SECTION
6.8.1	More regulatory activity [i.e., 303(d) listing)] is not warranted.		No	
6.8.2	As suggested by a recent NAS report, biomonitoring/bioassessment should be performed in place of standard water quality chemical monitoring.		No	
6.8.3	Region 6 fecal coliform, nitrate, and phosphate standards should be made consistent with other regions. Certain beneficial use designations are inappropriate.		No	
6.8.4	The RWQCB recommendation to list Robinson Creek for nitrates is based on insubstantial evidence (I.e., due to 1 exceedence out of 6 samples). Other, better, data refutes listing this water body/pollutant.		No	
6.8.5	The RWQCB recommendation to list Buckeye Creek for phosphates is based on insubstantial evidence (I.e., due to 1 exceedence out of 9 samples). Other, better, data refutes listing this water body/pollutant.		No	
6.8.6	The RWQCB standard for pathogens, 20 colonies/100 mg, is too low to justify recommending this Creek for listing. This should go on the Watch List, but not on the 303(d) list.		No	
6.8.7	Best Management Practices, rather than other regulatory action (listing/TMDLs) are a better mechanism for protecting water quality in these Creeks.		No	
6.9.1	At this time, no public agency or private organization is engaged in the long-term monitoring of water quality and ecological conditions in Martis Creek Reservoir and its tributaries.		No	
6.9.2	Anecdotal evidence, such as a report published in the Sierra Sun in early June, 2002, implies the reservoir's trout fishery is at a twenty-year low. Angler survey data collected by the Department of Fish and Game between 1996 and 2001 indicate the number of trout of all species reported caught at Martis Creek Reservoir has fallen dramatically. Angling harvest is not a significant cause in depressing trout populations at Martis Creek Reservoir, as the state requires all sport-caught fish there to be released.		No	

COMMENT NUMBER	SUMMARY OF COMMENT	RESPONSE	REVISION	DOCUMENT SECTION
6.9.4	The few water quality indices available for Martis Creek ~~imple~~ imply the reservoir is undergoing nutrient loading from sources upstream. ~~Attachment 4 presents the results of water samples taken at stations within the Lahontan residential and golf course project, which is situated on the main stem of Martis Creek.~~ The data collected for total Kjeldahl nitrogen (TKN), total phosphorus (TP), and total dissolved solids (TDS) shows that biostimulatory nutrients are flowing through and possibly from the Lahontan development. These nutrients presumably end up in martis Creek Reservoir, which is approximately two miles downstream.		No	
6.9.6	Current water quality objectives do not seem intended to protect the beneficial uses provided by the reservoir and its tributaries because Martis Creek's water quality stardards are less stringent than those for other streams along the Truckee River. Martis Creek standards were developed to take into consideration discharge from the wastewater treatment plant located downstream from Martis Creek Reservoir. Water quality can be expected to worsen over the next two decades as Martis Valley upstream from the reservoir continues to develop.		No	
6.9.6	The SWRCB and the LRWQCB should immediately initiate a monitoring program to track water quality in the reservoir and its tributaries, and should immediately initiate a study to examine the ecological health of the reservoir, using trout as the primary indicator species, and develop ways to restore this health and also protect the lake from future degradation.		No	
6.10.1	Since the State regulatory structure is successfully addressing the issues raised at Searles Dry Lake, action under Section 303(d) and the development of TMDLs is not necessary.		No	

COMMENT NUMBER	SUMMARY OF COMMENT	RESPONSE	REVISION	DOCUMENT SECTION
6.10.2	Bird mortalities were observed by the California ~~Department of Fish and Game~~ in the Searles Valley Basin. The ~~Department of Fish and Game~~ alleged that IMCC was responsible for the illegal taking of migratory birds due to the hyper-saline nature of the mineral brine and releases of trace hydrocarbons into the percolation pond from IMCC. IMCC has implemented a number of measures designed to keep birds from landing on Searles Lake and to retrieve and rehabilitate birds that did manage to land and become distressed. These measure have proven to be very effective in reducing waterfowl mortality at Searles Lake. In addition, DFG and IMCC are negotiating an agreement that will authorized the "take" of a certain number of birds in exchange for IMCC's agreement to contribute towards an off-site project designed to increase waterfowl habitat. Actions taken by DFG and IMCC under State law address bird mortality at Searles Dry lake.		No	
6.10.3	Necropsies performed on the birds by UC Davis and DFG showed that approximately half the mortalities were due to natural causes and the other half were likely due to dehydration. A single bird death may have resulted from petroleum contact when a bird managed to crawl into a netted emergency skimmer. No other bird mortalities have been documented as occurring from petroleum contact in the process ponds.		No	
6.10.4	Revised WDRs have further tightened the numerical discharge limitations, and committed IMCC to an ambitious program to investigate the constituents in its discharge brine, and to explore state-of-the-art methods for minimizing the presence of non-native constituents. A Cease and Desist Order was amended to conform to the revised WDRs. A Cleanup and Abatement Order was issued that requires submittal of a cleanup work plan. An Administrative Civil Liability settlement commits IMCC to implementing additional control measures. Because of the effectiveness of the State program, regulation of IMCC under the federal program is not needed. Because IMCC does not believe that Searles Lake is a "water of the U.S.", regulation of Searles Lake under the federal program is inappropriate.		No	

COMMENT NUMBER	SUMMARY OF COMMENT	RESPONSE	REVISION	DOCUMENT SECTION
6.10.5	The water that occasionally exists at the surface of Searles Dry Lake simply evaporates or percolates below the surface. There is also no foreseeable use of the occasional surface brine and pooled rainwater in interstate commerce. It is economically and technically impracticable to mine the surface water because of its intemittant nature and very shallow depth. Therefore, the occasional surface water at Searles Dry Lake does not meet the criteria of Subsection (c)(3). Discharges to this water are not discharges to water of the United States.		No	
6.2002.1	Opposes the proposed listing of the Mojave River for PCE and TCE.	Mojave River is not proposed for 303(d) listing for PCE and TCE. It is proposed to be place on the Region 6 Watch list for these constituents.	No	
6.20001.1	Reiterated their written comments regarding their contention that Haiwee Reservoir is not a "water of the U.S.", and that the City is required to treat the reservoir with copper sulfate because it is a drinking water supply.		No	
6.20003.1	Does not want Robinson Creek place on the "Watch" list.		No	
6.20003.2	Does not want Buckeye Creek placed on the "Watch" List. Wants Buckeye Creek placed on the "Watch" List, not placed on the 303(d) list for pathogens, as currently proposed.		No	
6.20004.1	~~Reiterated their written comments that~~ Searles Lake should be delisted for hydrocarbons, salinity, TDS and chlorides.		No	
6.20005.1	Searles Lake listings were made on the basis that other regulatory mechanisms would not solve the pollutant problem within the next 303(d) listing cycle (2 years).		No	
6.20005.2	Lahontan Region is prepared to look at the "water of the U.S." issue for these two waters.		No	

COMMENT NUMBER	SUMMARY OF COMMENT	RESPONSE	REVISION	DOCUMENT SECTION
7.1.1	The Colorado River Basin RWQCB proposes to delist the New River for nutrients. The available data and information demonstrate that the New River is tributary to a nutrient water quality limited segment (Salton Sea). However the New River is not itself a nutrient water quality limited segment, since no data or information demonstrate that water quality in the New River fails to meet water quality standards. While monitoring data collected by the Regional Board for the New River indicates that the River carries nutrients from Mexico and from Imperial County at relatively high concentrations, the Region's Basin plan has no numeric water quality objectives for nutrients for the River.		No	
7.2.1	Staff lists "Potential Source of Pollutant" as "5-20 million gallons per day of raw sewage from Mexico discharged to New River", and "Alternative Enforceable Program" as "Mexican-American Water Treaty". Both are wrong. PVID's Outfall Drain is about 95 Colorado River miles north of the Mexican Border, it does not connect to the New River, and I am not aware of it being covered by that treaty. If data from New River was used to place PVID's Outfall Drain on this 303(d) list, then PVID's Outfall Drain status should be reevaluated.		No	
7.2.2	The beneficial use categories provided in the Region 7 Basin Plan, as currently writtten, are overly broad, and do not accurately or adequately reflect the characteristics of PVID's canals or agricultural drains (including PVID's Outfall Drain) as they existed when the beneficial uses were first designated. PVID believes it is inappropriate to designate constructed waterways dominated by agricultural drainage as REC-1 water bodies and as being comparable to natrual freshwater streams.The source and type of water should be taken into consideration when defining the associated water quality objectives. PVID requests a more suitable and consistent list of beneficial uses be developed along with water quality objectives and an implementation process that is appropriate for agricultural drains which does not undermine the intended purpose of the drains.		No	

COMMENT NUMBER	SUMMARY OF COMMENT	RESPONSE	REVISION	DOCUMENT SECTION
7.2.4	~~PVID~~ also requests ~~the Board to~~ re-examine the water quality objectives applicable to PVID's canals and drains and establish separate water quality objectives appropriate for these waters. In establishing these water quality objectives to agricultural waters, PVID requests the Board to develop new water quality objectives based on local species and ambient conditions, or, as an alternative, use the lowest mean acute value of toxicity tests.		No	
7.3.1	Region 7 improperly listed the New River as impaired by nutrients in 1998. The New River carries about 5 to 20 million gallons per day of raw sewage from Mexico. Although the raw sewage has relatively high concentrations of nitrate and phosphates, the Regional Board has no numeric standards for nitrate, phosphate, or other biostimulatory substances for the river; or evidence that the nutrients are actually impairing the River's beneficial uses.		No	
7.3000[illegible]1.1	I believe we're required now to provide further items as to how we can go about delisting the New River.		No	
8.1.1	~~I'm happy to~~ join the City of Newport Beach in supporting ~~the~~ listing of the Santa Ana River as an impaired water body.		No	
8.1.1	We believe due process has not been followed, and that it is not appropriate for these watersheds to have the beneficial uses assigned to them.		No	
8.1.2	We also believe there is no basis for the Coastal Creeks to be placed on the list of impaired waters.		No	
8.1.3	We strongly urge the State Board to refrain from taking action ~~in Sacramento~~ until the proper local procedures are followed as outlined by state and federal laws.		No	
8.1.4	There are absolutely no recreational uses and the creeks clearly are not potential sources of municipal drinking water. In addition, the large areas of habitat that surround our community support significant wildlife that contributes to the level of bacteria found in the creeks.		No	

COMMENT NUMBER	SUMMARY OF COMMENT	RESPONSE	REVISION	DOCUMENT SECTION
8.1.5	There are hundreds, maybe thousands, of small watersheds throughout the state with similar flows and bacteria concentrations that, like our coastal creeks, cannot meet the standards of the beneficial uses preserved for these creeks even in their natural condition. Placing these waters on the impaired waters list would create TMDL gridlock without any commensurate real-world benefit.		No	
8.2.1	~~We believe~~ due process has not been followed, and that it is not appropriate for these watersheds to have the beneficial uses assigned to them.		No	
8.2.2	~~We also believe~~ there is no basis for the Coastal Creeks to be placed on the list of impaired waters.		No	
8.2.3	~~We strongly urge the State Board to~~ refrain from taking action ~~in Sacramento~~ until the proper local procedures are followed as outlined by state and federal laws.		No	
8.2.4	There are absolutely no recreational uses and the creeks clearly are not potential sources of municipal drinking water. In addition, the large areas of habitat that surround our community support significant wildlife that contributes to the level of bacteria found in the creeks.		No	
8.2.5	There are hundreds, maybe thousands, of small watersheds throughout the state with similar flows and bacteria concentrations that, like our coastal creeks, cannot meet the standards of the beneficial uses preserved for these creeks even in their natural condition. Placing these waters on the impaired waters list would create TMDL gridlock without any commensurate real-world benefit.		No	
8.3.1	~~Enclosed~~ photographs show children and toddlers playing in these creeks as they flow across the beach in the middle of summer, laden with bacteria and the typical pollutants found in urban runoff. This was a daily occurrence.		No	
8.3.2	~~We ask that you~~ support the Region 8 staff recommendation for the inclusion of these Newport Coast creeks on the 303(d) list.		No	

COMMENT NUMBER	SUMMARY OF COMMENT	RESPONSE	REVISION	DOCUMENT SECTION
8.4.1	Based on discussions with SWRCB legal counsel, if a beneficial use is in fact an existing use, whether or not the waterbody is in the Basin Plan, that use must be protected. Regional Board staff have observed recreational use of Buck Gully Creek and photodocumentation of recreational use was also provided by Orange County CoastKeeper. Buck Gully Creek is used for REC1 and REC2 beneficial uses.		No	
8.4.2	Based on discussions with SWRCB legal counsel, if a beneficial use is in fact an existing use, whether or not the waterbody is in the Basin Plan, that use must be protected. Regional Board staff have observed recreational use of Buck Gully Creek and photodocumentation of recreational use was also provided by Orange County CoastKeeper. Los Trancos Creek is used for REC1 and REC2 beneficial uses. Because The Irvine Co. has committed to diverting dry weather flows to Los Trancos Creek, it may be appropriate to refine our recommended listing to impaired only during the wet season.		No	
8.4.3	Because The Irvine Co. has committed to diverting dry weather flows to Muddy Creek, it may be appropriate to refine our recommended listing to impaired only during the wet season.		No	
8.4.4	Delete MUN beneficial use from Summmary of Recommendations and Fact Sheets		No	
8.4.5	Delete MUN beneficial use from Summmary of Recommendations and Fact Sheets		No	
8.4.6	Delete MUN beneficial use from Summmary of Recommendations and Fact Sheets		No	
8.4.7	Delete MUN beneficial use from Summmary of Recommendations and Fact Sheets		No	
8.4.8	Delete MUN beneficial use from Summmary of Recommendations and Fact Sheets		No	
8.4.9	Delete MUN beneficial use from Summmary of Recommendations and Fact Sheets		No	
8.4.10	Delete MUN beneficial use from Summmary of Recommendations and Fact Sheets		No	

COMMENT NUMBER	SUMMARY OF COMMENT	RESPONSE	REVISION	DOCUMENT SECTION
8.4.11	Delete MUN beneficial use from Summmary of Recommendations and Fact Sheets		No	
8.5.1	~~The City of Irvine is~~ concerned with the listing of Reach 1 of San Diego Creek as impaired due to the presence of fecal coliform.		No	
8.5.2	City of Irvine is concerned about the proposed MUN, REC 1 and Rec 2 beneficial uses for water bodies currently under consideration by the Santa Ana RWQCB as part of their triennial review of the Santa Ana River Basin Plan.		No	
8.6.1	The Santa Ana- Delhi Channel originated from an agricultural irrigation ditch, which later on was improved for flood control purposes in the 1940s and lined with concrete and rip-rap in the 1970s. The water supply contained within the open portion of this flood control facility is derived from surface runoff. This surface runoff runs through various staorm drain systems prior to making its way to the Santa Ana- Delhi Channel, which is fenced and posted to keep the public out. To designate its use for activities such a sdrinking, swimming, hiking or boating is completely impractical and undesireable. ~~The City~~ recommends that the Regional Board make its overiding priority the review and revision of the beneficial uses and the water quality objectives so they become relevant and appriopriate for use in the stakeholder's stormwater cleanup programs.		No	
8.7.7	IRWD believes that a number of water bodies should ~~not~~have been listed as impaired but were, in fact, listed as aresults of inappropriate beneficial use designations. Examples given for ~~Municipal and Domestic Supply~~ (MUN), ~~Water Contact Recration~~ (REC1), and ~~Non-Contact Water Recreation~~ (REC2).		No	
8.8.1	Comment consists of a Table stating watershed acreage and dry weather flows for Pelican Point Creek, Pelican point Middle Creek, Pelican Hill Waterfall, Buck Gully Creek, Los Trancos Creek, and Muddy Creek		No	

COMMENT NUMBER	SUMMARY OF COMMENT	RESPONSE	REVISION	DOCUMENT SECTION
8.9.1	~~The Coalition is~~ concerned that the Regional Board applied inappropriate water quality objectives and designated beneficial uses to ~~many of the proposed~~ revisions. ~~The Coalition believes that~~ the selection of beneficial uses should be made with consideration of the condition of a water body, the overall advantage of achieving a given designated use and the cost of achieving a designated use. In particular, the Coalition questions the appropriateness of beneficial use designations for flood control channels, concrete-lined channels, and water bodies with limited access. ~~Example- Delhi Channel~~		No	
8.9.2	~~The Coalition urges that~~ the Board adopt an approach to regulating, maintaining, and improving water qulaity through measures which are as technically proficient as possible. ~~Specifically we ask that~~ the State Board consider an economic analysis to evaluate the impact of implementing Basin Plan water quality objectives to nonpoint sources, including storm water and urban runoff. To ensure that designated uses are feasible and appropriate, we urge that the State Water Board consider a use attainability analysis before developing any TMDLs.		No	

COMMENT NUMBER	SUMMARY OF COMMENT	RESPONSE	REVISION	DOCUMENT SECTION
8.9.3	~~We also ask that the State Water Board~~ consider issues of economic efficiency and social impact in reviewing the recommendations of the Santa Ana Regional Water Quality Control Board. Particularly, ~~we urge the State Board to~~ ensure that any revisions to the 303(d0 list are consistent with section 13241 of the State's water code ~~in the following considerations:~~ ~~-"Probable" future beneficial uses of any given water body~~ ~~-Water quality conditions that could reasonably and efficiently be achieved through~~ the coordinated control of all factors which affect water quality ~~in this area~~ ~~-Economic impacts of water quality standards~~ except for treated wastewater discharges ~~-The need for developing housing~~ ~~-The need to develop and use recycled water~~		No	
8.10.1	The city supports a finding tha Newport Bay and its tributaries are water quality limited due to trash and debris		No	
8.10.2	The City supports a finding that Santa Ana River and its tributaries are water qulaity limited due to trash and debris		No	
8.10.3	The City supports amending the Region 8 Baisn Plan to identify beneficial uses for this creek prior to listing it as water quality limited for total coliform and fecal coliform. ~~We believe, however, that~~ these contaminants do cause significant impairments to the creek, which drains into an Area of Special Biological Significance (ASBS).		No	
8.10.4	~~The City supports~~ amending the Region 8 Basin Plan to identify specific beneficial uses for this creek prior to listing it as water qulaity limited for total coliform and fecal coliform. ~~We believe, however, that~~ these contaminants do cause significant impairments to this creek, which drains into an Area of Special Biological Significance (ASBS).		No	

8.10.5

COMMENT NUMBER	SUMMARY OF COMMENT	RESPONSE	REVISION	DOCUMENT SECTION
8.10.6	~~We do not believe that~~ this segment of oseria shoreline ~~has~~ has any significant record of impairment from total coliform or fecal coliform that warrants listing at this time.		No	
8.11.1	We currently monitor the Lake on a weekly basis for temperature, clarity and oxygen. ~~The Association has invested in extensive testing in the past and we have forwarded copies of the test results to the Regional~~ Board. ~~Also~~, as requested in the Notice of Extended Public Solicitation for Water Quality Data and Information, a copy of the test results is enclosed with this request.		No	
8.12.1	~~At their January, 2002 meeting,~~ the Regional Board expressed concern about the process for developing the 303(d) list since it appears to take much of the local input and control of the process out of the Regional Board's jurisdiction. ~~While the Board understands the urgency and timing associated with the 2002 listing,~~ it was unclear exactly what the Regional Board's role was in the listing process.		No	
8.13.1	The Basin Plan has no established beneficial uses for the Santa Ana-Delhi Channel although the lower section (approximately a half-mile) would constitute a tidal prism of a flood control channel discharging to Bay waters. In fact the proposed triennial work plan of the Regional Board recommends adding appropriate beneficial uses for Santa Ana Delhi Channel, recognizing that this has not been done. Santa Ana-Delhi Channel above the tidal prism should not be considered as water quality limited for REC-1 and REC-2 since these beneficial uses are currently being proposed by the Regional Board. ~~This will require a public hearing process.~~		No	
8.13.2	The Basin Plan exempts many channels in Orange County from the MUN designation, therefore this listing is inappropriate. No areas of Santa Ana-Delhi Channel should be considered as water quality limited for MUN since this beneficial use is not applicable.		No	

COMMENT NUMBER	SUMMARY OF COMMENT	RESPONSE	REVISION	DOCUMENT SECTION
8.13.3	Since the data used for the proposed listing closed in May 2001, most of the fecal coliform data available for comparison with the REC-1 and REC-2 objectives were 3 to 5 years old and do not reflect current conditions. This is a very limited dataset for listing purposes and may be highly influenced by seasonal winter conditions. Evaluation of the tidal prism of Santa Ana-Delhi Channel as water quality limited for REC-1 and REC-2 due to bacterial indicators should be based on a comparison of fecal coliform data to the WQO and limited to non-storm conditions. If such data does not support the listing, the tidal prism of the Santa Ana-Delhi Channel should not be listed as water quality limited for REC-1 and REC-2.		No	
8.14.5	~~It is requested that~~ the santa Ana Regional Water Quality Control Board define water quality criteria in terms of frequency, magnitude and duration so that the 303(d) list would be formulated with consideration of these factors. Subsequent Total Maximum Daily Loads (TMDLs) based upon water quality objectives would then be more reasonably enforceble.		No	
8.14.1	The Santa Ana Delhi Channel is not conducive for either REC-1 or REC-2 use and would be extremely dangerous during rain events. It has restricted public access and is gated and fenced for flood control puposes.		No	
8.14.3	~~The City is~~ concerned that inappropriate water quality objectives and designated beneficial uses are being applied to the Santa Ana Delhi Channel. ~~The city believes~~ the selection of beneficial uses should be made with consideration of the condition of a water body, the overall advantage of achieving a given use, and the cost of achieving this goal.		No	
8.14.4	The basin plan has no established beneficial uses for the Santa Ana Delhi Channel.		No	
8.14.6	Three years have transpired since the data for the proposed listing was collected. The fecal coliform data available for comparison with the REC-1 and REC-2 objectives is dated and may not reflect current conditions.		No	

COMMENT NUMBER	SUMMARY OF COMMENT	RESPONSE	REVISION	DOCUMENT SECTION
8.14.7	~~The City of Costa Mesa is respectfully~~ requesting ~~that~~ the santa Ana Delhi Channel ~~be removed~~ from the proposed 303(d) list.		No	
8.15.1	~~Currently,~~ the county of Orange owns the Santa Ana/Delhi Channel and the Channel is concrete lined to carry flows primarily during rainstorms. How could such a Channel be placed on this list, when the regulations, under which it was recommended, pertain to the protection of recreational uses.		No	
8.15.2	The data used to place the Channel on the 303(d) list was taken 3 years ago. How can this data be used to establich a designation today when the current environment more likely than not has changed? Does the data apply to the whole Channel or just portions of the Channel?		No	
8.15.3	In all the documentation either reviewed online or received from other parties, there appears to be no reference to a cost/benefit analysis. First of all, when is the cost benefit analysis done and if it is, where is it located in statue or regulation?		No	
8.16.1	Buck Gully ~~the Creek you are proposing to exclude from the list~~ has perennial flows in the amount of 250,000 gallons per day throughout the entire dry season; April 15- Oct. 15. This creek has consistent daily recreation uses, which are well documented by approximately 100 photos. It drains a large developed area of residential projects and carries urban runoff from all of them. ~~We have supplied~~ sampling data to the Regional Board. The staff of the Regional Board supports our recommendation to list Buck Gully. Please consider our request to add Buck Gully to the 303d list. We agree with your recommendations for Los Trancos Creek and Muddy Creek, as they do not have flows either.		No	
8.17.1	~~We~~ support the addition of Huntington State Beach (from Newland Avenue to the Santa Ana River) to the 303(d) list for bacteria.		No	
8.17.3	We support the addition of San Diego Creek (Reach 1) to the 303(d) list for fecal coliform.		No	

COMMENT NUMBER	SUMMARY OF COMMENT	RESPONSE	REVISION	DOCUMENT SECTION
8.17.5	~~We are concerned about the Watch List!~~ The Watch List should be eliminated. In many if not all instances, the Watch list and TMDLs Completed List function to "delist" water segments from the 303(d) List. Most, if not all of the water segments on the Watch List should be listed on the 303(d) List. Since these segments are not on the section 303(d) List, the Watch List constitutes a delisting of these impaired water segments. Placing an impaired water body on any list other than a 303(d) list violates the mandate in Section 303(d), even if there is "a regulatory program in place to control the pollutant but data are not available to demonstrate that the program is successful". Even where data are available it is generally not clear how a water body qualified for the Watch List. There are no guidelines on what "insufficient information means". Putting waters on a list with no basis in statute will not make them better priorities for monitoring money.		No	
8.17.6	~~We are concerned about the TMDLs Completed List.~~ The TMDLs Completed List should not remove waters from the 303(d) list. The TMDLs Completed List has a similar delisting effect, and is likewise contrary to the Clean Water Act. The Clean Water Act contains no basis for delisting a water segment merely because a TMDL has been written. It does not grant EPA authority to allow states to remove water segments from the list while the impairment is continuing. Section 303(d) focuses on impaired water segments meeting attainment standards. The water segments on the TMDLs Completed List should be on the 303(d) List, because they remain impaired.		No	

COMMENT NUMBER	SUMMARY OF COMMENT	RESPONSE	REVISION	DOCUMENT SECTION
8.17.7	~~We are concerned about the delisting of impaired water segments. Impaired water segments should not be delisted. Specifically~~, Uppper and Lower Newport Bay should not be delisted for fecal coliform, nutrients or siltation. San Diego Creek (Reaches 1 and 2) should not be delisted for nutrients or siltation. The stated reason for delisting these waters is "because TMDL has been incorporated into Basin Plan." Adoption of a TMDL does not mean the water segment is no longer impaired, and is therefore not sufficient grounds for delisting. Certain delistings have been prematurely proposed, as those waters remain impaired. Empirical assessement must be performed before any legal status (listing or delisting) is established. There is no basis in the Clean Water Act for delisting a water body simply because a TMDL has been completed.		No	
8.17.8	Defend the Bay strongly supports the SWRCB's use of the 1998 303(d) List as the basis for the 2002 list. We also support the additions the SWRCB has made to the list.		No	
8.17.9 MISSING				
8.17.10	We request clarification of the discussion in Volume I, p. 5. The "size affected" values for the 1998 list may change in the 2002 list because of new GeoWBS data. The changes must be summarized in a table in order to have meaningful public review and comment.		No	
8.18.1	The National Marine Fisheries Service (NMFS) recommends that Huntington Harbor be added to the 303(d) list, as impaired due to infestation by the highly invasive marine alga Caulerpa taxifolia. Caulerpa was found in Huntington Harbor in August 2000 and was one of the first known infestations along the Pacific Coast of North America. Spread of this alga throughout the Mediterranean has already resulted in devastating ecological and economic consequences. As a biological material released through discharges of waste, Caulerpa can be considered a pollutant as defined in the Clean Water Act. The presence of Caulerpa impairs and threatens greater impairment of the beneficial uses of Huntington Harbor, including estuarine habitat, marine habitat, contact water recreation, and commercial and sport fishing. If Caulerpa spreads to the ocean, the beneficial uses of the entire Pacific Coast are also at risk.		No	

COMMENT NUMBER	SUMMARY OF COMMENT	RESPONSE	REVISION	DOCUMENT SECTION
8.30002.1	I have observed trash floating in the water and littered all along the riverbed. This trash will be washed into the ocean during the next storm. I urge the water board to list the Santa Ana River as being trash impaired.		No	
8.30003.1	The river mouth is one of the worst beaches I've seen with regard to the accumulation of trash along the coastline. I support listing the Sant Ana River as an impaired water body due to trash.		No	
8.30004.1	I appreciate you're not adding to the list Muddy, Buck Gully or Los Trancos and we would request further consideration to delete from the listing the three small Pelican hill creeks and allow the existing permits to handle the cleanup process through BMPs. Also see comments in letter 8.1.		No	
8.30005.1	Delhi Channel, unlike some of the other channels that perhap are being used for storm drain purposes that previously were creeks or rivers, Delhi has never been a creek or a river. Delhi was an irrigation ditch back in ~~the forties~~ 1940's. It was improved with riprap and concrete lining on the bottom. It's fenced. It's simply a part of the storm drain system and is no different than the pipes in the ground that also serve that system. See letter 8.6.		No	
8.30006.1	A particular concern ~~to the City of Irvine~~ is the listing of San Diego Creek Reach 1 as impaired due to fecal coliform. Trash is a problem in San Diego Creek that can be reduced effectively with very low tech solutions. This is not the case with fecal coliform. Fish and wildlife are abundant in the area, as is animal waste. For this reason we do not believe that MUN and REC-1 uses are compatible with wildlife uses. ~~The city of Irvine~~ requests that the Board take action to assure that the 303(d) list ansd associated beneficial uses result in realistic water quality objectives for the stakeholders.		No	

COMMENT NUMBER	SUMMARY OF COMMENT	RESPONSE	REVISION	DOCUMENT SECTION
8.30007.1	Our organization submitted the coastal creeks for inclusion on the 303(d) list because we noticed that in Buck Gully in particular there were daily occurrances of adults, children and toddlers playing in the flow across the beach. Our concern about the state's recommendation is that it includes the creeks that have little or no dry flow, but excludes the one with the highest dry flow, Buck Gully, which has existing REC-1 and REC-2 uses. Also see letters 8.3 and 8.16.		No	
8.30008.1	Impaired waters should not be delisted because TMDLs have been completed. Delisting waters that are still impaired is a violation of the Clean Water Act.		No	
8.30008.2	Eliminate the Watch List and TMDLs Completed List. Listing impaired waters on any other list besisdes the 303(d) list is a violation of the CWA.		No	
8.30008.4	We support adding the Santa Ana River to the 303(d) list for impairment due to trash. Trash hinders the beneficial uses of the Santa Ana River.		No	
8.30010.1	See also letter 8.9. We're concerned that the Regional Water Board applied inappropriate water quality objectives and designated beneficial uses to many of the proposed revisions.		No	
8.30010.2	We'd like to urge your Board to adopt an approach to regulating, maintaining and improving water quality through measures which are as technically proficient as possible.		No	
8.30010.3	We ask that your board consider an economic analysis to evaluate the impact of implementing basin plan water objectives to non-point sources including storm water and urban runoff. We ask you to consider the need for developing housing, the probable beneficial uses of any given water body.		No	
8.30010.4	We ask that you review each Region's Basin Plan with particular focus on the designated beneficial uses and water quality objectives prior to adding water bodies to the final 303(d) listing.		No	

8.3008.3

30011
30012
30013 MISSING

G.1 → G.4 MISSING

COMMENT NUMBER	SUMMARY OF COMMENT	RESPONSE	REVISION	DOCUMENT SECTION
G.5.1	~~I am in~~ support of your proposed revisions of the federal Clean Water Act (CWA) section 303(d) list and ask you move it along to the phase of reducing pollutants reaching our waterways.		No	
G.6.1	~~The members of the PAG believe that~~ applicable law and good policy require the State Board to consider all relevant information in making decisions with respect to the 2002 Section 303(d) List of impaired waters. ~~For that reason, the PAG strongly urges~~ the State Board to accept and reasonably consider such information that may be presented to the State Board on or before the public hearings scheduled in May 2002.		No	
G.7.1	To comprehensively evaluate "impairment" to a water body, one should first ensure the appropriate beneficial use designations have been assigned to the location. The existing basin plan beneficial use designations appear to have been established in 1994. ~~VCFCD believes~~ a re-evaluation of the beneficial use designations should occur prior to consideration of water quality data that may ultimately lead to modifications to the 303(d) List.		No	
G.7.2	At a minimum, each group and/or agency contributing data for the 303(d) List process should be operating under the guidelines and protocols of a QA/QC Plan for their monitoring programs. Collection of a grab sample as opposed to a composite sample and collection of a time-weighted or flow-proportional sample should have been considered, with the data qualified accordingly. Grab samples should not be relied upon or weighted as heavily as composite, flow-proportional samples.		No	
G.7.3	In the case of Calleguas Creek R9A, 111 water samples were collected, 15 samples exceeded Basin Plan water quality objectives, and the site will now be listed as "impaired" for nitrate. A similar case exists for Calleguas Creek R9B where foam was identified in one photograph and this site is now being placed on the "watch list" and possibly considered for listing. ~~VCFCD believes~~ statewide standardized protocol should be developed and followed for the evaluation of data and the consideration for 303(d) listing/de-listing.		No	

COMMENT NUMBER	SUMMARY OF COMMENT	RESPONSE	REVISION	DOCUMENT SECTION
G.7.4	~~VCFCD~~ supports efforts to improve water quality through TMDLs providing waste load allocation and implementation schedules are realisitic and achievable.		No	
G.8.1	~~The Task Force~~ supports staff's recommendations to develop and place certain waterbodies on a Watch List instead of adding them to the 303(d) list when there is insufficient data to determine a waterbody's status.		No	
G.8.3	The Policiy should facilitate the use of alternative mechanisms such as Water Quality Attainment Strategies that might help maintain beneficial uses without the time, energy and expense related to TMDL development.		No	
G.8.4	The policy should address the traslation of narrative water quality objectives into numeric standards upon which TMDLs could be based. In this regard, the weight of evidence approach should be evaluated and guidance providied for its use.		No	
G.8.5	The Policy should provide guidance and criteria for removing an impaired waterbody from the 303(d) list if a TMDL, Implementation Plan, or some other implementation process has been adopted. The waterbody could then be added to the Watch list or to a separate implementation list so that progress could continue to be monitored.		No	
G.8.6	The Policy should provide for a major re-evaluation of appropriate beneficial uses and water quality objectives in all Basin Plans.		No	
G.8.7	The Policy should identify the data standards required to place waterbodies on the 303(d) list or the Watch List so that decisions place waterbodies on these lists are based on consistent data standards statewide.		No	
G.8.8	The Policy should provide guidance that waterbodies listed for pollution or general impairment of beneficial uses be placed on the Watch List until specific pollutants have been identified and sufficient data collected to evaluate assimilation capacity and properly determine load allocations, waste load allocations, and other parameters needed to establish a TMDL.		No	

COMMENT NUMBER	SUMMARY OF COMMENT	RESPONSE	REVISION	DOCUMENT SECTION
G.8.9	The policy should provide for the reassessment of legacy listing sbecause a number of old listing have beeen continuously carried forward (e.g. organochlorine pesticides, PCBs) even though the original bases have changed and /or supporting data are lacking. For example, some of the old waterbody/pollutant combinations on the 1998 list might best be moved to the Watch List so that the scientific bais and rationale for which they were originally listed can be re-confirmed.		No	
G.9.2	~~CASA and Tri-TAC~~ support the de-listing of waters where imparirment is due to natural conditions.		No	
G.9.3	~~CACA and Tri-TAC~~ support de-listing where data show ~~no~~ impairment of beneficial uses. In some cases, neneficial uses are not impaired even though water column or other measurements show exceedances above a water qulaity criterion. We support the recommendations to de-list water where the weight of evidence shows no actual impairment.		No	
G.9.4	~~CASA and Tri-TAC~~ support de-listing water where the l;istings were based on Elevated Data Levels.		No	
G.9.5	~~CASA and Tri-TAC~~ support the recommendation that waters be listed based on water-body-specific information.		No	
G.9.6	~~CASA and Tri-TAC~~ support the proposed exclusion of listings where no QA/QC procedures were used.		No	
G.9.7	~~SASA and Tri-TAC~~ support the development of a "TMDLs Completed" List.		No	
G.9.8	Specific listings carried over from the 1998 List should be re-evaluated to ensure consitency and fairness in the listing process. ~~CASA and Tri-TAC~~ urge the SWRCB to review, at a minimum, those 1998 listings that have been identified in the individual comment lettters as warranting de-listing or placement on the "Watch" List, and those for which development of a TMDL is planned in the next several years.		No	
G.9.9	Listing should not be based on exceedances of draft guidance or informal criteria that are not adopted water quality objectives.		No	

COMMENT NUMBER	SUMMARY OF COMMENT	RESPONSE	REVISION	DOCUMENT SECTION
G.9.10	Water Bodies should not be included on the TMDL development list based upon inadequate data. The draft 2002 303(d) List still includes several examples of proposed listings that are based on a single sample, or on very limited data, such as a small number of samples, or data that are not temporally or spatially representative. This issue is exacerbated because there are no guidelines or requirements for a minimum number of sampling events or frequency of exceedances to declare a water body impaired.		No	
G.9.11	Water bodies should be placed on the "Watch" List where site-specific objectives are being developed.		No	
G.10.1	We are concerned about the SWRCB proposed actions to list impaired waters segments on three separate lists: the Watch List, The Section 303(d) List, and the TMDL Completed List. The three list runs contrary to the CWA and implements regulation.		No	
G.10.2	The Watch List and the TMDL Completed list function to delist water segments from the 303(d) list. The SWRCB staff report states that both lists "should not be considered part of the Section 303(d) list". In addition the 177 water segments on the Watch List plus the 70 water segments being delisted totals 247 water segments delisted . This out weighs the 195 additions .. These actions, on the whole, weaken efforts to attain water quality standards in California. At a minimum the Watch list and the TMDL Completed List should be considered part of the Section 303(d) List.		No	
G.10.3	Placing water segments on a separate Watch List or a TMDL Completed List has collateral impacts on resources , such as federal grants for monitoring and restoration that are linked to water segments on the Section 303(d) list.		No	
G.10.4	It is not clear why the SWRCB decided to place water segments on the Watch List when the Regional Board proposed listing the water segments on the 303(d) List. The SWRCB must articulate a sound reason for not listing the 23 water segments on the 303(d) List.		No	

COMMENT NUMBER	SUMMARY OF COMMENT	RESPONSE	REVISION	DOCUMENT SECTION
G.10.5	The SWRCB cannot list waters on the Watch List because of other existing "regulatory Programs" . The decition to place water segments on the Watch List because of the alleged existance of other water quality program, such as the BPTCP, is directly contrary to the law. Section 303(d) and its implementing regulations do not provide for a separate list of water segments where there is a regulatory program in place to control the pollutant but data are not available to demonstrate that the program is succesfull. The very existance of such a program is proof of the fact that effluent limitations through other regulatory programs " are not stringent enough to implement any water quality standards.		No	
G.10.6	The SWRCB recognizes that repeated testing and monitoring must be conducted to determine if the water segment is no longer impaired . However, there is no discussion of funding for monitoring and testing. The State must address funding for monitoring and testing in order to assure the accuracy of the Section 303(d) list.		No	
G.10.7	There is no guidelines on what "insufficient Information" means when it is given as the reason for listing a water segment on the Watch List.		No	
G.10.8	The TMDL Completed List is contrary to the CWA. There is no basis in the CWA for delisting a water body simply because a TMDL has been written. Section 303(d) of the Act mandates that impaired water segments be listed; it does not grant EPA authority to allow states to remove water segments from the list while impairment is continuing. It is therefore improper to place water segments on the Completed TMDL List unless the Regional Board, the State Board and U.S.EPA determine that the water segments are attaining water quality standards.		No	
G.10.9	Volume I, Table 2 contains a list of proposed deletions from the 1998 303(d) list, however, the table does not provide the basis for these deletions. We request that the SWRCB add a column to the table that briefly describes the reason for delisting; these reasons should be made readily available to the concerned public.		No	

COMMENT NUMBER	SUMMARY OF COMMENT	RESPONSE	REVISION	DOCUMENT SECTION
G.10.10	Volume I, Page 4 lists factors that SWRCB staff considered in making listing/delisting considerations. Included on this list are "sources of pollutants" (#12) and "availability of an alternative enforceable program"(#13). Such variable may be interesting as background data, but cannot be used to decide whether to list a water body, since they are completely irrelevant to whether a body is impaired.		No	
G.10.11	It is unclear if the delisting of water segments based on EDLs only eliminates the TMDL requirement as it relates to assuring healthy fish tissue in the segment, or if the delisting applies more broadly and eliminates the TMDL requirement for the pollutant in the entire water segment. Specifically, we are concerned about 36 water segments proposed for delisting based on EDLs in Region 4.		No	
G.10.12	We do not believe it is proper in the context of Section 303(d) to delist water segments that were originally listed based on EDLs unless affirmative information is proffered to show that the water segment is not, in fact, impaired. Delisting water segments based on new or informal perspective on the utility of EDL information, alone, and without considering other data and information regarding that water segment, is improper under the CWA.		No	
G.10.13	We are concerned that delistings based on outdated NAS guidelines, no guidelines, or no defensible guideline are improper delistings considering the CWA's and its implementing regulation. Similarly, the delisting fact sheets do not provide a statement of "good cause' for not including these water segments on the Section 303(d). Nor is there any other information or data that may reveal whether the water segments remain impaired.		No	
G.10.14	It is not clear why there are no guidelines for water segments delisted for no guidelines or guidelines no longer defensible.		No	
G.10.15	It is unclear why NAS guidelines are outdated. If the NAS guidelines are outdated, it is unclear if there are other guidelines or data available regarding the impairment of the water segments.		No	

COMMENT NUMBER	SUMMARY OF COMMENT	RESPONSE	REVISION	DOCUMENT SECTION
G.10.16	We request clarification of the discussion in Volume I, page 5 regarding how the "size affected" values for the 1998 303(d) list may be changed in the 2002 list because new GeoWBS data. There is no summary of these changes in the public documents. We request that in order to increase transparency in the process, these changes be summarized in a table in order to have meaningful public review and comment.		No	
G.11.1	We support the State's proposed approach of continuing past listings identified in the final 1998 Section 303(d) list unless new data or information provides an analytical basis for removing or modifying a listing.		No	
G.11.2	We appriciate the State's commitment to provide multiple opportunities for public pariticipation in the lsiting process, including the data and information solicitation process and public comment and hearing process to invite feedback on the proposed list and priority rankings.		No	
G.11.3	We support the State's efforts to assess unconventional danta and information types, including sediment, fish tissue and recreational advisories, as part of the assessment process.		No	
G.11.4	Documentation of the basis fro listing decisions must be improved. Some listing provid insufficient information describing the data and information considered and the bais for the listing decision.		No	
G.11.5	Waters impaired due to naturally occurring pollutant sources need to be listed. The cited language from the Basin Plans does not appear to provide a natural sources exclusion. The State need to provide a more substantial rationale for not listing these waters or include them on the 303(d) list.		No	
G.11.6	The State must document how it considiered and listed "threatened waters". Federal regulations require the listing of threatened waters, and EPA's 1997 and 2001 listing guidance documents describe how this requirement should be addressed.		No	

COMMENT NUMBER	SUMMARY OF COMMENT	RESPONSE	REVISION	DOCUMENT SECTION
G.11.7	The rationales for excluding many waters (including many waters on the "watch" list) from the Section 303(d) list must be explained. Please provide a clearer explanation of how these water were assessed and the State's rationale for not including them on the 303(d) list.		No	
G.11.8	Decisions not to list waters based on ther presence of other control programs must be justified. The State must describe how these other control programs will result in attainment of standards in a reasonable period of time, or list these waters if this description cannor be provided.		No	
G.11.9	We are concerned that the proposed 2002 listing decisions do not include schedules for developing TMDLs for all its listed waters. The State Board should adopt firm schedules for all listed waters in order to increase the level of accountability at the State Board level for TMDL program performance, and to provide a clearer indication to the public when TMDLs will be legally adopted by the State.		No	
G.12.1	The current listing process is cumbersome, lacks sufficient data and is not timely. I propose an alternative approach that would help focus attention to the most problematic subwatersheds and could be within 12 months or less. Since there is a strong correlation between the % impervious cover in a watershed and stream condition, we should be able to predict stream condition from estimates of % impervious cover made in each watershed and subwatershed along the coast.		No	
G.12.2	Presence of invasive exotic plant species should be used as an indicator of impaired water bodies. I recommend that the distribution, abundance, species composition, and impacts of invasive plants associated with riparian habitats be aggressively included as an additioanl criterion in the SWRCB's protocla for assessment of impaired water bodies.		No	

COMMENT NUMBER	SUMMARY OF COMMENT	RESPONSE	REVISION	DOCUMENT SECTION
G.13.1	~~SCAP believes that~~ the State needs to develop a standard that is uniformly applied throughout the state for placing stream segments on 303(d) lists. This uniformity would minimize the potential for litigation that would result from the Regional Boards' discretionary and professional judgement-based decisions.		No	
G.13.2	~~It is recommended that~~ a statewide Technical Advisory Committee be assembled in order to minimize arbitrary or discretionary judgement when making listing/delisting decisions in the listing process.		No	
G.13.3	The Policy should be transparent ~~and~~ predictable, and ~~be~~ reproducible. The environmental groups and the regulated community should be able to assess the same data and arrive at the same listing/delisting decisions as the RQWCB or the SWRCB.		No	
G.13.4	More time needs to be build into the listing system to allow for substantive comments and response. There are concerns for the potential that some comments will not be addressed.		No	
G.13.5	The scope of the policy should include: guidance for listing, guidance for delisting, analysis of beneficial use designation/de-designation that would flag incorrect beneficial use designations, then trigger a Use Attainability Analysis (UAA) ~~and allow a water body in~~ question be placed on a watchlist until the UAA is completed, examination ~~and~~ recommendation of water quality standards for appropriateness and whether or not the standards were legally promulgated.		No	
G.13.6	The Policy should establish core principles including decision-making procedures, assimilative studies, assessment of beneficial uses, review of criteria for each beneficial use, and site specificity.		No	
G.13.7	The Policy should establish guidance on staffing at the State and Regional level, to address difficulties and delays in reviewing data, desseminating resports and information in a timely matter due to staffing deficiencies.		No	

COMMENT NUMBER	SUMMARY OF COMMENT	RESPONSE	REVISION	DOCUMENT SECTION
G.13.8	The list approval should be by the RWQCB with the final approval of a state wide list by the SWRCB. However, if the SWRCB request changes to the list, they should be allowed to do so without consulting or remanding back to the Regional Board.		No	
G.13.9	The State should give higher priority to the 305(b) assessment, since it sets the stage for the 303(d) list and the TMDL program The 305(b) assessment includes such items as environmental impact assessment, socio-economic benefit assessments, and a description of the nature and extent of nonpoint sources of pollutants, with recommendations of control programs.		No	
G.13.10	The Watch List would be used for cases where there are insufficient or inadequate data indicating impairment, thereby identifying that addition data needs to be collected to warrant placing it on the 303(d) list.		No	
G.13.11	More details on the use of the watch list should be described in the Policy. These detail include information on the procedure utilized to get water bodies on or off the list, duration of the watch list and etc.		No	
G.13.12	The use of a two list process [preliminary (watch list) and an action list (303(d)) list] will give us an opportunity to perform a full assessment on water quality and waterbody health. The process will also allow a review of any concerns about beneficial uses and/or water quality objectives, various options such as use attainability analysis and site-specific objectives.		No	
G.13.13	The State Board should draw from other states experiences and approaches and not reinvent the process. The watch list allows us to focus on true impairments of highest priority, rather than spend time and resources on questionable impairments, so that positive results are not measurable.		No	

COMMENT NUMBER	SUMMARY OF COMMENT	RESPONSE	REVISION	DOCUMENT SECTION
G.13.14	The management of 472 waterbodies with 800 TMDL should be addressed in the California Listing Policy, so that concerns from both the regulated and environmental group are taken in consideration. The Policy should lead to a more focused, scientifically defensible list.		No	
G.13.15	The usage of non-promulgated or improperly promulgated standards are not proper because it allows for inappropriate or inconsistent application of these standards for impairment decisions and represents underground regulations.		No	
G.13.16	The State needs to require a periodic review of the water quality standards and criteria used for listing and delisting. SWRCB needs to inform stakeholders that legitimate standards issues will be address the procedures or considerations that will be used to address in a timely matter.		No	
G.13.17	There should be criteria for eutrophic, mesotrophic and oligotrophic waterbodies. More discussion and research is required to define which waterbodies go under which category.		No	
G.13.18	Standards should include but not limited to: the minimum number of samples ewquired for an impairment decision, number of allowable exceedances per numbers, sediment and tissue samples-scientifically and statistically-what is an acceptable number of samples for decision-making, calibration of modeled data, proper selection of toxcity organisms, seasonality and temporal considerations, spatial and hydrologic variations and QA/QC data shoudl have rigorous requirements.		No	

COMMENT NUMBER	SUMMARY OF COMMENT	RESPONSE	REVISION	DOCUMENT SECTION
G.13.19	Listings should not be based on symptoms e.g., algae. Symptoms are usually subjective, especially the amount which defines impairment. Listings should not be done until pollutant has been identified. For example, if abundant algae exist with low nutrient content, the major cause of growth might be sunlight (due to the destruction of riparian vegetation along stream banks), lack of scour flows, and temperature. Malibu Creek watershed includes listing for nutirents, algae, and eutrophication, all of which have more to do with the destruction of the riperian canopy and the resultant loss of shade thath rising nutrients levels.		No	
G.13.20	Since waterbodies in past and current 303(d) listings were listed without a standard listing or delisting procedure, the entire existing list needs to be reviewed for correctness after the delisting procedure has been approved and promulgated.		No	
G.13.21	Delisting is politically sensitive, therefore we recommend moving it away from the political process by establishing standardized statewide criteria and procedures.		No	
G.13.22	We suggest the following element for a delisting procedure; ~~both the Regulated and Environmental Caucuses agree that~~ delisting should occur when new data shows attainment of criteria.		No	
G.13.23	~~We~~ suggest the following element for a delisting procedure; delisting should occur when there are incorrect listings, or incorrect beneficial use designations.		No	
G.13.24	~~We~~ suggest the following element for a delisting procedure; delisting should occur if there is insufficient or bad data.		No	
G.13.25	We suggest the following element for a delisting procedure; keep waters on the list until Water Quality Standard or Beneficial Use are restored. However on a case-by-case basis, it may be acceptable to delist or place on a watch list when control measure are already in place, or when a TMDL is developed.		No	

COMMENT NUMBER	SUMMARY OF COMMENT	RESPONSE	REVISION	DOCUMENT SECTION
G.13.26	We suggest the following element for a delisting procedure; delisting should occur when a Water Effects Ratio is developed that indicates that the waterbody segment is not impaired for a given pollutant.		No	
G.13.27	We suggest the following element for a delisting procedure; delist or do not list when the waterbody fully supports the beneficial use, but is threatened.		No	
G.13.29			No	
G.13.30			No	
G.14.1	We support the Water Board's proposal to create a "Watch List" for several water bodies.		No	
G.14.2	To further ensure a focused regulatory process, we recommend that the Water Board also work towards completion of a proposed Water Quality Control Policy prior to development of future 303(d) lists. (Seven specific recommendations given)		No	
G.15.1	We support the "Watch List"		No	
G.15.3	We support the concept of delisting water where Quality Control/Quality Assurance standards were inadequate or non-existent.		No	
G.15.4	We support the "TMDLs Completed" List.		No	
G.15.5	We are concerned that many of the listings are there simply because they were on the 1998 list.		No	
G.15.6	We are concerned that the Baord will list waters that have violated informal advisory criteria instead of adopted water quality objectives.		No	
G.15.7	Listing a water body based upon a single sample, or very limited data, jumps to a conclusion that may or may not be valid. We are aware of a listing that is based upon the result of a fish tissue sample taken on a single day, and a listing based upon five samples taken during one month in 1998.		No	

COMMENT NUMBER	SUMMARY OF COMMENT	RESPONSE	REVISION	DOCUMENT SECTION
G.16.1	The Department of Pesticide Regulation (DPR) provided information to the individual Regional Water Quality Control Boards during the initial solicitation in April 2001. DPR has not identified any additional data or information that can serve to identify impaired water bodies.		No	
G.17.1	The proposed three-list scheme raises concerns. According to the Draft Report, water bodies will be placed on a "Watch List" if there is insufficient data and information to list them on the 303(d) list, and placed on a "TMDLs Completed List" to show progress in developing TMDLs. The proposed "Watch List" and "TMDLs Completed List" are not part of the CWA statutory scheme. States are required to identify waters that do not meet water quality standards after the application of technology-based effluent limits, and submit one list of these waters to USEPA for approval. CALPIRG agrees with members of the AB 982 PAG that the State Board should stick closely to the federal regulaions and submit only one list, the 303(d) List.		No	
G.17.2	~~CALPIRG is~~ concerned that the "Watch List" will be a waiting list for non-action. If there is anecdotal, minimal or contradictory information for a water being considered for listing, it is in the public interest to list the water on the 303(d) list, perhaps as low priority. The appropriate next step would be to conduct assessment work as part of the TMDL development process.		No	

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G.17.3	The "TMDL Completed List" is not contemplated by the CWA. There is no basis in the CWA for delisting a water body simply because a TMDL has been prepared. 40 CFR 130.29(b) (effective 2003) states that State Boards "must keep each impaired water body on your list for a particular pollutant until it is attaining and maintaining the applicable water quality standard for that pollutant." Deviating from the statutory mandates and creating additional lists that are contradictory to the regulations suggests that the State Board is engaging in decision making based on self-interest and creates an appearance that the water bodies' contamination problems have been remedied. Many TMDLs have very lengthy implmentaions periods and the effective delisting of these is perhaps many years in advance of any noticeable improvements in water quality. The "TMDL Completed List" is unreasonable, misleading and unnecessary.		No	
G-18			No	
G.18.1	~~WSPA~~ supports and endorses staff's recommendation for a "watch" list for water segments where there is insufficient information to support a 303(d) listing, or if a regulatory program is in place to control pollutants and there is not yet sufficient data to demonstrate success. Further, ~~WSPA~~ supports the independent assessment of water segments on the "watch" list so that they are individually judged based on the data and the science for each particular water segment. In addition to the "watch" list, ~~WSPA~~ recommends the SWRCB consider developing a statewide process to ensure that water segments recommended for the "watch" list are done in a consistent manner. We would urge the Board to make every effort to conduct an analysis of the 1998 list to determine which water segments should be placed on the "watch" list.		No	
G.18.2	~~WSPA~~ supports the 13 case-by-case factors that were used to evaluate regional board recommendations. However, we have found that the application of the factors by each of the regional boards is inconsistent. Further the state staff recommendations did not attempt to reconcile the differences into one consistent state methodology for listing.		No	

COMMENT NUMBER	SUMMARY OF COMMENT	RESPONSE	REVISION	DOCUMENT SECTION
G.18.3	~~WSPA also~~ questions whether it is appropriate to use "fish advisories" as the measurement for impairment. There are no scientific criteria for when an advisory is issued.		No	
G.18.4	~~We~~ question the listing of waterbodies for "unknown" pollutants or for generic "beach closures". These water bodies, at a minimum, should be moved to the "watch" list until specific pollutants can be identified and translated into numeric impairments that can be addressed.		No	
G.18.5	~~WSPA also~~ supports the use of all credible data to make impairment determinations, as is required by federal rules. ~~We believe~~ it is important to use minimum requirements to determine if data is credible and scientifically defensible. Data should meet reasonable quality assurance and quality control requirements for sample collection, field and laboratory analysis, data management and samples and data are collected by trained personnel. ~~We believe that~~ valid, credible data must meet the appropriate EPA, USGS, ASTM or American Public Health Association Standard Methods.		No	
G.18.6	~~WSPA~~ supports the NRC report recommendation that a statistical "weight of evidence" evaluation be used to interpret data.		No	
G.18.7	~~WSPA~~ supports a high-medium-low priority ranking system for 303(d) listed water segments. However ~~WSPA has~~ concerns with how the criteria were used to rank water segments. ~~WSPA believes that~~ it is more appropriate to rank water bodies based on the importance of the water segment and on the severity of the impairment. ~~WSPA~~ recommends that the priority ranking also incorporate criteria that address water segment significance and degree of impairment.		No	
G.18.8	~~WSPA believes that~~ the same criteria for delisting and/or placing water bodies on the "watch" list should also be applied to water segments on the 1998 list.		No	

COMMENT NUMBER	SUMMARY OF COMMENT	RESPONSE	REVISION	DOCUMENT SECTION
G.18.9	WSPA made a number of recommendations to move specific proposed listings to the "Watch" list. They also support a number of proposals to place specific water bodies on the "Watch" list. WSPA also supports the delisting of a number of specific water bodies. Comments recommend placing water bodies on the "watch" list instead of the 303(d) list in every case.		No	
G.18.11			No	
G.18.12			No	
G.18.13			No	
G.18.14			No	
G.18.15			No	
G.18.16			No	
G.18.17			No	
G.18.18			No	
G.19.1	~~CMTA~~ strongly supports the development of a "watch list" as recommended by State Board staff.		No	
G.19.2	~~CMTA~~ supports the concept of not listing waters on the 303(d) List where there is an alternative, enforceable program in place to achieve water quality standards.		No	
G.19.4	The State and Regional Boards are required to comply with Consent Decrees that require the development of dozens of TMDLs throughout the state on ~~an~~ expedited, yet wholly unreasonable time schedule. We request the State Board to formally contact US EPA Region 9 Administrator ~~Wayne Nastri~~ and ask Region 9 to return to Federal District Court, seeking a modification of the Consent Decrees in order for the state to perform its responsibilites in an orderly and appropriate fashion, without the specter of the short time schedules contained in the current Consent Decrees forcing potentially inappropriate decisions.		No	

COMMENT NUMBER	SUMMARY OF COMMENT	RESPONSE	REVISION	DOCUMENT SECTION
G.10001.	We urge the Board to do morec omprehensive review of the 1998 list, especially given the fact that there has been a develop of 13 case-by-case factors.		No	
G.10001.1	We are very pleased with the direction the state is going with this listing process. This is a huge improvement, in our view, over the pocess that was followed in prior years in terms of process and quality of analysis in virtually evey case. We feel that this will result in a set of decisions that are stronger and provide a better base for the development of TMDLs.		No	
G.10001.1	On behalf of our association I would like to, express our appreciation of thanks for finding an extension for submittal of comments.		No	
G.10001.2	We support and endorse the staff's recommendation for a watch list and accompanying criteria that has been proposed by the staff; when there is a situation with insufficient information on a water segment to suppport a 303(d) listing, and if there is a regulatory program in place to control pollutants, but there not suffcient data to demonstrate success.		No	
G.10001.2	We support the state's approach of carrying overpass listings unless there was new data or information to support a change and we believe that this has been uheld in other states and in past listing decisions. A statewide listing policy will provide a basis for a more systematic analysis of all waters in the state when the state next reviews a 303(d) listing decision.		No	
G.10001.3	We support the proposed case-by-case factor that have been proposed by the staff. We believe that important thing such as the minimum data quality, data samples, data tie translations and narrative criteria are all important factors and support all those 13 factors that are being included. However, we recommend that more specific standards be added to the 13 case-by-case factors, some additional specificity would be helpful for each of the factors, and it would result in more accurate information provided.		No	

COMMENT NUMBER	SUMMARY OF COMMENT	RESPONSE	REVISION	DOCUMENT SECTION
G.10001.4	We recommend that the State Board reconcile or explain the inconsistencies. ~~We are concerned that~~ the listing requirements for some water were probably to stringent and exclusive, and ~~we are~~ concerned about the assessments that were done possibly in Region 3, the Central Coast Region, and Region 8, the Santa Ana Region. It may be a matter of understanding how waters were assessed in those regions to help figure out whether the waters were assessed inconsistent with how water quality standards are written.		No	
G.10001.4	We support the priority ranking system for the 303(d) list water segments. The top priority ranking is imperative in order for California to address the over 1,500 water segments in an orderly and scientific fashion.. However, given all of information, there still needs to be more of a consistent review of all water segments.		No	
G.10001.5	We support the watch list concept. We request that additional explanation is provided than in the proposed report. Also, there are some waters that didn't end up on any list, for which data was provided. It is very important to show how the data and supporting information were considered and why those water don't bolong on the 303(d) list or the watch list.		No	
G.10001.6	There are a number of water that are impaired, but were proposed not be listed because other control programs may be in place or planned. This concept can work, but it is very important to show that those other programs are actually in place and working or will be working very soon. ~~There are 20 listings in that category around the~~ state, and we will be working with your staff to take a very hard look at the basis for not listing those kind of waters.		No	

COMMENT NUMBER	SUMMARY OF COMMENT	RESPONSE	REVISION	DOCUMENT SECTION
G.10001.7	~~We believe that~~ the stae is doing the ~~things that are the~~ required minimums, but we would note that ~~our~~ national policy is the state should update their entire TMDL schedules either with their 303(d) listing decisions or about the same time. We hope that the State Board takes up the developmentof more comprehensive schedules for all the waters on this list very soon after the final list is established. It is very important to just provide the assurance to the commmunity, to the Legislature and to all the concerned parties about when individual TMDLs will come up and to show that the state really is carrying out this program in accordance with the law.		No	
G.10001.8	The State has the foundation of a good decision, it just needs a little bit more fine-tuning. The stucture that has been set up is sound and gives what is needed to make a good decision. ~~We will be looking for the final submittal at USEPA before October 1, 2002.~~		No	
G.10002.1	We compliment to staff for the way they have proceeded with this listing process. The listing process is much clearer, much more open and there is a lot more information in the staff reports for someone interested in a particular listing decision to be about to take a look at it and evaluate it.		No	
G.10002.1	We appreciate the effort by the State and Regional Board staff in putting together the information and reviewing a very substantial amount of data in a relatively short period of time. This is a incredible improvement over past years effort. We also appreciate the extension on the comment period for the submission additional information for the listing process.		No	
G.10002.2	I compliment the Board in its leadership in taking on a very difficult question of trying to take the 303(d) listing in what I see as something of a new direction, a direction to say this list is going to be a list of waters for which TMDLs are to be developed in the state of California.		No	

COMMENT NUMBER	SUMMARY OF COMMENT	RESPONSE	REVISION	DOCUMENT SECTION
G.10002.3	Many of the concepts that are proposed in the staff report are very similar to those ~~things~~ that the USEPA is considering in its revised watershed rule which is now called the TMDL Rule. USEPA is proposing to not to put water bodies on the TMDL list where there is an alternative program. TMDL are a tool in the toolbox that we need to use, but we need to keep in mind that they are not the all and to end all in crafting the 303(d) list.		No	
G.10002.4	We support the estblishment of a warch list and we support many of the factors that the staff has applied in determining if they should go on a watch list rather than the TMDL development list. These factors consist of insufficient data, alternative enforable program in place and unknown stressors.		No	
G.10002.4	We strongly support the need to reexamine waters that were previously on the '98 list. As in the Florida Administrative Law on the Florida Inland Water Rule, the State Boards is proposing similar concepts; the creation of a watch list or planning list, not to list for natural causes of pollution or pollutants or pollution that are not related specifically to pollutants and not list whrere there are mixing zones or site-specific objectives or criteria that are applicable. In addition it is important to recognize that EPA Region 4 approved of the model.		No	
G.10002.5	We support delistings where impairment is due to natural conditions and where they're based on informal criteria such as elevated data levels, ~~as an example.~~		No	
G.10002.6	~~We believe that~~ there are a number of listings on the '98 list that suffer from the very same flaws that you have identified and addressed in the proposed 2002 listing. Even though the recommendation to leave the '98 list as is, is legally sound, is it appropriate and helpful to the state in terms of where you are trying to take this program? We suggest that you review listings on the '98 list where specific issues raise from the public, at the hearings and/or in the comments letters, be tracked with the criteria that your staff as applied to the 2002 listing.		No	

COMMENT NUMBER	SUMMARY OF COMMENT	RESPONSE	REVISION	DOCUMENT SECTION
G.10002.7	We have concerns about listings based on draft guidance or informal criteria rather than adopted water quality objectives. See comment letter 10.9.		No	
G.10002.8	We recommend one other watch list criteria that is the placement of a water body on a watch list where site-specific objectives are under development. For example, the South Bay work on copper and nickel where water bodies are carried forward on the list during site-specific development objectives to determine what the appropriate level of a particular pollutant is feasible in a water body. This needs to be determined before heading down the TMDL road. If you put those water bodies on a watch list and let the site-specific work continue, then if or when the site-specific objective is adopted or not adopted you can then commit an assessment as to whether the water body is impaired.		No	
G.10003.1	We support the addition of almost 200 impaired water body segments to the Draft 2002 list and the fact that you are using the 1998 list as a basis for what we are seeing in 2002.		No	
G.10003.2	We feel that a watch list ca be really eaily exploited and used as a delay tactic for cleaning up impaired water bodies. We believe that the watch list is contrary to the clear intent of the Section 303(d) and inplementing regulations.		No	
G.10003.3	The believe that the dividing of impaired water bodies among various lists, such as the TMDL completed list or the watch list, really has no regulatory or legal significance. This process can be viewed as delisting and move us further away fromachieving water quality objectives.		No	
G.10003.4	We disagree with the Board's decision to require that the explicit linkage be made between an impaired water body and the source of its pollution prior to adding that water body to the list. The source of pollution has relevance as background data, but whether it exists or not does not change the fact that the water body is impaired, which therefore meets the criteria for listing.		No	

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G.10003.6	A number of creeks in Santa Clara County are severally impacted by trash. Regions 2 has confirmed that excessive level of trash are found in virtually all urbanized waterways within the region, but they have failed to propose any water bodies due to trash, because other efforts have been in place to deal with this problem. ~~Right?~~ The fact that existing management efforts are in place and have failed provides us with even more reason to add these waters to the 303(d) list.		No	