



DEPARTMENT OF PUBLIC WORKS OPERATIONS

October 26, 2009
File # 0780-85-KY181

California Regional Water Quality Control Board
San Diego Region
9174 Sky Park Court, Suite 100
San Diego, CA 92123-4340
Attention: Ms. Cynthia Gorham-Test

**SUBJECT: COMMENTS ON THE PROPOSED 2008 FEDERAL CLEAN WATER ACT
SECTION 303(D) LIST OF WATER QUALITY LIMITED SEGMENTS**

Thank you for the opportunity to provide comments on the proposed 2008 Clean Water Act Section 303(d) list. The City of Chula Vista has carefully reviewed the proposed 303(d) list, Lines of Evidence (LOE), and monitoring data that have been used to list Poggi Canyon Creek and the Sweetwater River. The following are our comments that we trust will meet your consideration before the 303(d) list is finalized. Our comments are organized under each Water Body/Pollutant combination heading.

Poggi Canyon Creek/Selenium

Fact Sheet:

The Fact Sheet states that this pollutant is being considered for placement on Section 303(d) list under Section 3.1 of the Water Quality Control Policy (Listing Policy). One LOE (7427) is presented to support the listing of Poggi Canyon Creek for selenium. The Fact Sheet further states that according to results in California's Surface Water Ambient Monitoring Program (SWAMP) Report, 2007, three water samples were collected at Poggi Creek Station (9100TPOG3) in January, April, and May 2003, and that all three samples exceed the Water Quality Objective for selenium. The Fact Sheet further states that data used satisfies the data quality requirements of Section 6.1.4 of the Listing Policy.

Comment:

In reviewing the SWAMP data, it is evident that test results from samples taken on 04/21/2003 and 05/15/2003 are both "Estimated, non-compliant with associated Quality Assurance Project Plan (QAPP)". Of the three test results on the same sample from 01/21/2003, two of the results are from "Matrix Spike/Matrix Spike duplicate" samples, indicating that they were blanks. Only one test result from a normal grab sample is compliant with the associated QAPP (please see Attachment 1).

Conclusion:

Based on the presented data, only one test result on a sample out of the three samples taken is valid and, therefore, the data does not meet the requirements of Table 3.1 of the Listing Policy.

Recommendation:

Since there are insufficient valid sample results from Poggi Canyon Creek, the referenced LOE does not meet the requirements of Table 3.1 of the Listing Policy and, therefore, Poggi Canyon Creek should not be 303(d) listed for selenium.

Poggi Canyon Creek/DDTFact Sheet:

The Fact Sheet states that this pollutant is being considered for placement on the Section 303(d) list under Section 3.1 of the Listing Policy. One LOE (3359) is presented to support the listing of Poggi Canyon Creek for DDT. The Fact Sheet further states that according to results in the SWAMP Report, 2004, two of three samples collected from March through September 2002, exceeded the California Toxics Rule (CTR). The Fact Sheet also states that data used satisfies the data quality requirements of Section 6.1.4 of the Listing Policy.

Comment:

In reviewing the SWAMP data, three samples were taken in 2003 on 01/21/2003 (two test results), 04/21/2003 (one test result), and 05/15/2003 (six test results). Please see Attachment 2 for SWAMP test results. Based on the available data in the SWAMP database:

- The two entries from 01/21/2003 both had no result listed.
- The one entry from 04/21/2003 had no result listed and was "Estimated; non-compliant with associated QAPP."
- Out of the six entries from 05/15/2003, four of them were "Matrix Spike/Matrix Spike Duplicate," indicating that they are blank samples. Two of these entries did not have results.

Conclusion:

Based on the presented data, only one sample (taken on 05/15/2003) out of the three samples taken is valid and, therefore, the data does not meet the requirements of Table 3.1 of the Listing Policy.

Recommendation:

Since there are insufficient valid sample results from Poggi Canyon Creek, the referenced LOE does not meet the requirements of Table 3.1 of the Listing Policy and, therefore, Poggi Canyon Creek should not be 303(d) listed for DDT.

Sweetwater River/SulfateFact Sheet:

The Fact Sheet states that this pollutant is being considered for placement on the Section 303(d) list under Section 3.2 of the Listing Policy. Three LOE (25667, 7185, 6519) are presented to support the listing of the Sweetwater River for sulfate. Data used to assess water quality are presented as follows:

1. SWAMP Report, 2007, indicates that four of the eight samples collected at Station 909SSWR03 show excessive sulfate concentrations (Attachment 3).
2. San Diego County Municipal Copermittees' Annual Progress Report, 2007, indicates that eleven of fifteen samples collected exceed the Water Quality Objective for Total Dissolved Solids.
3. SWAMP Report, 2007, indicates that four of the eight samples collected at Station 909SSWR08 show excessive sulfate concentrations (Attachment 4).

Comment:

Station 909SSWR03 is upstream and east of the Sweetwater Reservoir in hydrological sub-area (HSA) 909.31, while Station 909SSWR08 is downstream and west of the Reservoir in HSA 909.12. Section 6.1.5.4 of the Policy states "data shall be aggregated by the water body segments as defined in the Basin Plan." Therefore, LOE 25667 cannot be aggregated with LOE 6519.

According to Table 2-2 of the Basin Plan, HSA 909.12 is exempt from Municipal and Domestic Supply Beneficial Uses. According to Table 3-2 of the Basin Plan, the Water Quality Objective for sulfate in the Lower Sweetwater River is 500 mg/L and not 250 mg/L, as indicated. As can be seen from SWAMP data, none of the test results for sulfate at Station 909SSWR03 exceed 250 mg/L, and test results for sulfate at Station 909SSWR08 do not exceed 500mg/L.

TDS exceedance data from the San Diego County Municipal Copermittees' Annual Progress Report, 2007 was used as a LOE for listing the Sweetwater River as impaired for sulfate. TDS exceedances cannot be attributed to sulfates alone and should not be used as a LOE for listing a water segment for sulfates since TDS exceedances may be due to the presence of different types of salts in water.

Conclusion:

Two of the LOEs referenced do not show exceedances of the Basin Plan Water Quality Objectives. The third line of evidence indicates an exceedance of TDS and not sulfate. The Sweetwater River has been 303(d) listed for TDS elsewhere.

Recommendation:

Since there are no LOEs supporting listing of the Sweetwater River for sulfate, it is recommended to remove this water body/pollutant combination from the proposed 2008 303(d) list.

Sweetwater River/TDS/Salinity/Chloride

Fact Sheet:

The Fact Sheet states that this pollutant is being considered for placement on the Section 303(d) list under Section 3.2 of the Listing Policy. Two LOEs (7185, 6519) are presented to support the listing of the Sweetwater River for TDS/Salinity/Chloride. Data used to assess water quality are presented as follows:

1. San Diego County Municipal Copermittees' Annual Progress Report, 2007, indicates that eleven of fifteen samples collected exceed the Water Quality Objective for Total Dissolved Solids.
2. SWAMP Report, 2007, indicates that four of the eight samples collected at the Sweetwater River show excessive sulfate concentrations.

Comment:

As noted under "Sweetwater River/Sulfate" above, the Water Quality Objective for the Lower Sweetwater River is 500 mg/L and not 250 mg/L as indicated. This fact makes LOE 6519 invalid.

Further, the only one remaining LOE is for TDS exceedance, which does not support listing the Sweetwater River for salinity or chloride.

Conclusion:

The only valid LOE presented in the Fact Sheet supports listing of the Lower Sweetwater River for TDS and not salinity or chloride.

Recommendation:

Since there are no LOE supporting listing of the Sweetwater River for salinity or chloride, it is recommended to remove these water body/pollutant combinations from the proposed 2008 303(d) list.

Sweetwater River/Enterococcus

Fact Sheet:

The Fact Sheet states that this pollutant is being considered for placement on the Section 303(d) list under Section 3.2 of the Listing Policy. One LOE (7184) is presented to support the listing of the Sweetwater River for Enterococcus. The Fact Sheet further states that according to test results from the San Diego County Municipal Copermittees' Annual Progress Report, 2007, all fifteen samples exceed the WQO for Enterococcus. The Fact Sheet also states that data used satisfies the data quality requirements of Section 6.1.4 and 6.1.5 of the Listing Policy.

Comment:

Test samples were taken at the Mass Loading Station in the Sweetwater River, which is located in Hydrologic Sub Area (HSA) 909.12. According to Table 2-2 of the Basin Plan, this HSA has a Potential Beneficial Use of REC-1. The Water Quality Objective used to assess pollutant exceedance is the most stringent of the US EPA bacteriological criteria for Enterococcus of 61 colonies per 100 mL, which is a standard for water contact recreation (REC-1).

According to Section 6.1.5.4 of the Listing Policy, "data shall be aggregated by the water body segments as defined in the Basin Plan". The reach of the Sweetwater River within which samples were taken, has a Potential Beneficial Use of REC-1.

Conclusion:

The Water Quality Objective applied to the Lower Sweetwater River is for contact recreation (REC-1), which is a Potential Beneficial Use for that segment of the river. The correct Water

Quality Objective to be applied is for REC-2 since Potential Beneficial Uses should not be used as a basis for 303(d) listing water bodies or developing TMDLs.

Recommendation:

It is recommended to use the correct Water Quality Objective (REC-2) for comparison of test results and determination of exceedances.

Sweetwater River/Fecal Coliform

Fact Sheet:

The Fact Sheet states that this pollutant is being considered for placement on the Section 303(d) list under Section 3.2 of the Listing Policy. One LOE (7376) is presented to support the listing of the Sweetwater River for Fecal Coliform. The Fact Sheet further states that according to test results from the San Diego County Municipal Copermittees' Annual Progress Report, 2007, thirteen of fifteen samples exceed the WQO for Fecal Coliform. The Fact Sheet also states that data used satisfies the data quality requirements of Section 6.1.4 of the Listing Policy.

Comment:

Test samples were taken at the Mass Loading Station in the Sweetwater River, which is located in Hydrologic Sub Area (HSA) 909.12. According to Table 2-2 of the Basin Plan, this HSA has a Potential Beneficial Use of REC-1. The Water Quality Objective used to assess pollutant exceedance is the Basin Plan Water Quality Objective for contact recreation (REC-1).

According to Section 6.1.5.4 of the Listing Policy, "data shall be aggregated by the water body segments as defined in the Basin Plan". The reach of the Sweetwater River within which samples were taken, has a Potential Beneficial Use of REC-1.

Conclusion:

The Water Quality Objective applied to the Lower Sweetwater River is for contact recreation (REC-1), which is a Potential Beneficial Use for that segment of the river. The correct Water Quality Objective to be applied is for REC-2 since Potential Beneficial Uses are not to be used as a basis for 303(d) listing water bodies or developing TMDLs.

Recommendation:

It is recommended to use the correct Water Quality Objective (REC-2) for comparison of test results and determination of exceedances.



KHOSRO AMINPOUR
SENIOR CIVIL ENGINEER

Attachments

C: Richard Hopkins, Director of Public Works
Matt Little, Assistant Director of Public Works
Silvester Evetovich, Principal Civil Engineer

ATTACHMENT 1
Poggi - Selenium

Project	Station Code	Station Name	Sample Date	Sample Time	Sample Type	Analyte	Fraction	Result	Units	Lab Comments	QaQc Description
Surface Water Ambient Monitoring Program	910OTPOG3	Poggi Creek 3	04/21/2003	11:15	Normal Grab Sample	Selenium	Dissolved	12.8	µg/L	Sample preparation date was 04/22/2003.	Estimated; non-compliant with associated QAPP
Surface Water Ambient Monitoring Program	910OTPOG3	Poggi Creek 3	01/21/2003	11:15	Matrix Spike/Matrix spike duplicate	Selenium	Dissolved	23.6	µg/L	90 %Rec; Expected Result 24.6. Sample preparation date was 01/23/2003.	Compliant with associated QAPP
Surface Water Ambient Monitoring Program	910OTPOG3	Poggi Creek 3	05/15/2003	9:30	Normal Grab Sample	Selenium	Dissolved	19.2	µg/L	Sample preparation date was 05/16/2003.	Estimated; non-compliant with associated QAPP
Surface Water Ambient Monitoring Program	910OTPOG3	Poggi Creek 3	01/21/2003	11:15	Normal Grab Sample	Selenium	Dissolved	14.6	µg/L	Sample preparation date was 01/23/2003.	Compliant with associated QAPP
Surface Water Ambient Monitoring Program	910OTPOG3	Poggi Creek 3	01/21/2003	11:15	Matrix Spike/Matrix spike duplicate	Selenium	Dissolved	23.5	µg/L	89 %Rec, 0.257 RPD; Expected Result 24.6. Sample preparation date was 01/23/2003.	Compliant with associated QAPP

ATTACHMENT 2
Poggi Creek - DDT

Project	Agency	Station Code	Station Name	Sample Date	Sample Time	Sample Type	Analyte	Fraction	Result	Units	Lab Comments	QaQc Description
Surface Water Ambient Monitoring Program	State Water Resources Control Board	910OTPOG3	Poggi Creek 3	05/15/2003	9:30	Normal Grab Sample	p,p'-DDT	None		µg/L	Sample preparation date was 01/01/1950.Digest extraction method was EPA 3510C. Extraction date was 05/19/2003.	Compliant with associated QAPP
Surface Water Ambient Monitoring Program	State Water Resources Control Board	910OTPOG3	Poggi Creek 3	05/15/2003	9:30	Matrix Spike/Matrix spike duplicate	o,p'-DDT	None	0.0204	µg/L	Expected Result 0.02. Sample preparation date was 01/01/1950.Digest extraction method was EPA 3510C. Extraction date was 05/19/2003.	Compliant with associated QAPP
Surface Water Ambient Monitoring Program	State Water Resources Control Board	910OTPOG3	Poggi Creek 3	05/15/2003	9:30	Matrix Spike/Matrix spike duplicate	p,p'-DDT	None	0.0248	µg/L	Expected Result 0.02. Sample preparation date was 01/01/1950.Digest extraction method was EPA 3510C. Extraction date was 05/19/2003.	Compliant with associated QAPP
Surface Water Ambient Monitoring Program	State Water Resources Control Board	910OTPOG3	Poggi Creek 3	05/15/2003	9:30	Matrix Spike/Matrix spike duplicate	p,p'-DDT	None	0.0244	µg/L	Expected Result 0.02. Sample preparation date was 01/01/1950.Digest extraction method was EPA 3510C. Extraction date was 05/19/2003.	Compliant with associated QAPP
Surface Water Ambient Monitoring Program	State Water Resources Control Board	910OTPOG3	Poggi Creek 3	01/21/2003	11:15	Normal Grab Sample	p,p'-DDT	None		µg/L	Sample preparation date was 01/01/1950.Digest extraction method was EPA 3510C. Extraction date was 01/25/2003.	Compliant with associated QAPP
Surface Water Ambient Monitoring Program	State Water Resources Control Board	910OTPOG3	Poggi Creek 3	04/21/2003	11:15	Normal Grab Sample	p,p'-DDT	None		µg/L	Sample preparation date was 01/01/1950.Digest extraction method was EPA 3510C. Extraction date was 04/25/2003.	Estimated; non-compliant with associated QAPP
Surface Water Ambient Monitoring Program	State Water Resources Control Board	910OTPOG3	Poggi Creek 3	04/21/2003	11:15	Normal Grab Sample	o,p'-DDT	None		µg/L	Sample preparation date was 01/01/1950.Digest extraction method was EPA 3510C. Extraction date was 04/25/2003.	Estimated; non-compliant with associated QAPP
Surface Water Ambient Monitoring Program	State Water Resources Control Board	910OTPOG3	Poggi Creek 3	01/21/2003	11:15	Normal Grab Sample	o,p'-DDT	None		µg/L	Sample preparation date was 01/01/1950.Digest extraction method was EPA 3510C. Extraction date was 01/25/2003.	Compliant with associated QAPP
Surface Water Ambient Monitoring Program	State Water Resources Control Board	910OTPOG3	Poggi Creek 3	05/15/2003	9:30	Normal Grab Sample	o,p'-DDT	None		µg/L	Sample preparation date was 01/01/1950.Digest extraction method was EPA 3510C. Extraction date was 05/19/2003.	Compliant with associated QAPP
Surface Water Ambient Monitoring Program	State Water Resources Control Board	910OTPOG3	Poggi Creek 3	05/15/2003	9:30	Matrix Spike/Matrix spike duplicate	o,p'-DDT	None	0.0204	µg/L	Expected Result 0.02. Sample preparation date was 01/01/1950.Digest extraction method was EPA 3510C. Extraction date was 05/19/2003.	Compliant with associated QAPP

ATTACHMENT 3
Sweetwater 3 - Sulfate

Project	Station Code	Station Name	Sample Date	Sample Time	Sample Type	Analyte	Fraction	Result	Units	Lab Comments	QaQc Description
Surface Water Ambient Monitoring Program	909SSWR03	Sweetwater River 3	09/07/2005	7:00	Normal Grab Sample	Sulfate	None	83.1	mg/L	1/100 diln; Sample preparation date was 09/08/2005.	Compliant with associated QAPP
Surface Water Ambient Monitoring Program	909SSWR03	Sweetwater River 3	06/01/2005	7:10	Normal Grab Sample	Sulfate	None	64	mg/L	1/10 diln; Sample preparation date was 06/02/2005.	Compliant with associated QAPP
Surface Water Ambient Monitoring Program	909SSWR03	Sweetwater River 3	01/31/2006	7:00	Normal Grab Sample	Sulfate	None	82	mg/L	1/10 diln; Sample preparation date was 02/01/2006.	Compliant with associated QAPP
Surface Water Ambient Monitoring Program	909SSWR03	Sweetwater River 3	04/11/2006	7:00	Normal Grab Sample	Sulfate	None	52.4	mg/L	1/10 diln; Sample preparation date was 04/12/2006.	Compliant with associated QAPP

ATTACHMENT 4
Sweetwater 8 - Sulfate

Project	Station Code	Station Name	Sample Date	Sample Time	Sample Type	Analyte	Fraction	Result	Units	Lab Comments	QaQc Description
Surface Water Ambient Monitoring Program	909SSWR08	Sweetwater River 8	09/06/2005	16:00	Normal Grab Sample	Sulfate	None	448	mg/L	RPD 8.75, 1/200 diln; Sample preparation date was 09/08/2005.	Estimated; non-compliant with associated QAPP
Surface Water Ambient Monitoring Program	909SSWR08	Sweetwater River 8	01/30/2006	17:30	Normal Grab Sample	Sulfate	None	443	mg/L	1/100 diln; Sample preparation date was 02/01/2006.	Compliant with associated QAPP
Surface Water Ambient Monitoring Program	909SSWR08	Sweetwater River 8	05/31/2005	17:30	Normal Grab Sample	Sulfate	None	483	mg/L	1/200 diln; Sample preparation date was 06/02/2005.	Compliant with associated QAPP
Surface Water Ambient Monitoring Program	909SSWR08	Sweetwater River 8	09/06/2005	16:00	Normal Grab Sample	Sulfate	None	489	mg/L	1/200 diln; Sample preparation date was 09/08/2005.	Estimated; non-compliant with associated QAPP
Surface Water Ambient Monitoring Program	909SSWR08	Sweetwater River 8	04/10/2006	18:00	Normal Grab Sample	Sulfate	None	328	mg/L	1/100 diln; Sample preparation date was 04/12/2006.	Compliant with associated QAPP