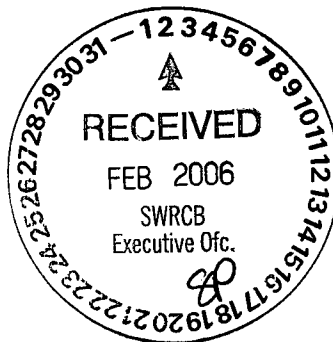




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January 30, 2006

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



RE: 2006 Proposed Revisions to the Clean Water Act (CWA) Section 303(d) List

Dear Ms. Potter:

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

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

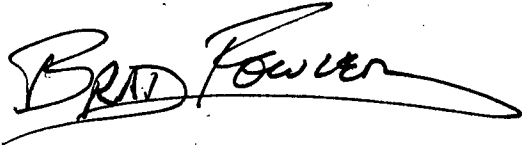
Limited Data: San Juan Creek (DDE), along with several other potential listings in South Orange County are based on a *very limited* number samples taken from *only one sampling location*. The Listing Policy states that "Samples should be representative of the water body segment. To the extent possible,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

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

Please also note that on San Juan Creek DDE Listing Region 9, page 213, there are typographical errors in the "Weight of Evidence" and "Water Quality Objective/Water Quality Criterion" sections of the fact sheet. In each section, the evaluation guideline is presented in units of mg/L. The actual units are micrograms per liter (0.00059 ug/L).

Thank you for the opportunity to provide comments on the 2006 proposed revisions to the California Clean Water Act Section 303(d) List. We look forward to working with the SWRCB in resolving these issues and producing an accurate and comprehensive list of impaired water bodies in the state of California. Please contact Lisa Zawaski at 949-248-3584 if you have any questions regarding these comments.

Respectfully,

A handwritten signature in black ink that reads "Brad Fowler". The signature is written in a cursive style with a long, sweeping underline that extends to the right.

Brad Fowler
Director of Public Works/Engineering
City of Dana Point

CC: Doug Chotkevys, City Manager
Lisa Zawaski, Water Quality Engineer
Ziad Mazboudi, San Juan Capistrano
Nancy Palmer, Laguna Niguel
Humza Javed, Laguna Hills
Joe Ames, Mission Viejo
Erica Ryan, Rancho Santa Margarita
Mike Dunbar, SCWD