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10/25/06 BdMtg Item 10
303(d) List
Deadline: 10/20/06 5pm.



ALAMEDA COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT

100 NORTH CANYONS PARKWAY, LIVERMORE, CA 94551 PHONE (925) 454-5000

October 20, 2006

Ms. Song Her, Clerk to the Board
State Water Resources Control Board
Executive Office
1001 I Street, 24th Floor
Sacramento, CA 95814



Subject: Comment Letter – 2006 Federal CWA Section 303(d) List

Dear Ms. Her:

Zone 7 has reviewed the State Water Resources Control Board's (State Board's) Proposed 2006 Federal Clean Water Act Section 303(d) List of Water Quality Limited Segments for California (2006 List). Zone 7 has the following comments on the proposed listing of the Del Valle Reservoir as an impaired water body for mercury and polychlorinated biphenyls (PCBs).

The Del Valle Reservoir is a raw water source for the South Bay Aqueduct contractors (Zone 7 Water Agency, Alameda County Water District, and the Santa Clara Valley Water District). Due to the fact that Del Valle Reservoir is a water supply source that is a critical part of the State Water Project, we again request that the State Water Board take a more prudent course for this particular water body and consider the factors described below so as to avoid making a premature designation that lacks solid support from the currently available scientific data.

The State Board's response to Zone 7's and the Department of Water Resources' previous comments (91.2 and 102.1, respectively) regarding removing the reservoir from the list, is as follows: "Without additional monitoring data to show that the water body is meeting water quality standards, it is not possible to remove this water body from the list" [emphasis added]. However, the State Board is basing the proposed listing of the Del Valle Reservoir on a one-time sampling event that occurred in April 2001. From our understanding, additional fish tissue sampling *had*, in fact, been completed at the end of 2005 through the Surface Water Ambient Monitoring Program (SWAMP) and the results were to be available within the following six months. The fact sheets attached to the 2006 List do not indicate that these additional SWAMP sampling results were considered. Our January 31, 2006 letter also stated that available historical water quality data indicated that no mercury or PCBs were present in the reservoir.¹ Since the data are available, both the results from the additional SWAMP sampling event and the historical water quality data provided herein should be considered in determining whether or not to include Lake Del Valle in the 2006 list.

Furthermore, the proposed listing is based solely on fish tissue samples collected in April 2001. Catfish and largemouth bass were found to exceed the mercury guideline, while catfish alone was found to exceed the PCB guidelines. The East Bay Regional Park District (EBRPD) stocks Del Valle

¹ PCB and mercury samples were collected from two different depths in Lake Del Valle and the resultant analytical results are attached.

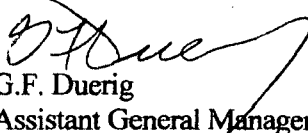
Reservoir with both catfish and largemouth bass for recreational purposes. 70% of the stocking is done with small fish (approximately one-pound size) and the remaining 30% consists of "trophy size" fish. While the State Board's Water Quality Policy section 3.5 allows using fish tissue samples from transplanted populations as an indicator of whether a particular water body is impaired, in our opinion using a small sample of stocked fish (many of which are already "trophy size) as the sole indicator of the "impairment" of the water body seems inappropriate without supporting data (either water quality or sediment sampling).

A study² published earlier this year by the U.S. Fish & Wildlife Service and & the U.S. Geological Survey found that a potential source of pollutants in hatchery fish tissue is their food (comprised of meal and fish oil from pelagic, ocean fish). In fact, that study also indicated that organochlorine compounds such as PCB's were commonly found in hatchery fish food and bioaccumulated, biomagnified and/or bioconcentrated in the fish, themselves. This study suggests that other sources may be responsible for the pollutants found in the stocked fish tissue from Lake Del Valle.

As requested in our January 31, 2006 letter, we suggest that the State Board defer the listing of the reservoir based on the one-time sampling event in 2001 allowing the State Board staff to conduct the following investigations: (1) perform sediment sampling in order to provide supporting evidence as to whether or not this reservoir should be listed as an impaired water body; (2) investigate the possibility that stocked fish are already contaminated with mercury and/or PCBs from other sources prior to entering the reservoir; (3) review and incorporate results from the additional sampling already conducted as well as the historical water quality data (latter attached); and (4) review and incorporate results from the Sanitary Survey currently being conducted by the State Water Contractors.

We appreciate the opportunity to comment on this document. If you have any questions or comments, please feel free to contact me at (925) 454-5016.

Sincerely,


G.F. Duerig
Assistant General Manager

GFD:mdl

cc: Dan Peterson and Jeff Janik, Department of Water Resources
Doug Chun, Alameda County Water District
Laura Young, Santa Clara Valley Water District
Neal Fujita, East Bay Regional Parks District
Terry Erlewine and Laura King Moon, SWC
Dale Myers, Vince Wong, Karla Nemeth, Mary Lim, Gurpal Deol

² Maule, A., Gannam, A., Davis, J. 2006. A Survey of Chemical Constituents in National Fish Hatchery Fish Feed. Final Report for Science Support Project 01-FH-05; see <http://wfrc.usgs.gov/pubs/reportpdf/fishfoodsurveyfinal.pdf>

Zone 7 Water Agency

Sample Station	Sample Location	Sample Date	Depth (m)	Dissolved Mercury		PCBs*		Units
				Concentration	Reporting Limit	Concentration	Reporting Limit	
DV001000	Lake Del Valle Dam	12/18/2000	0.4	ND	0.2	ND	0.1	ug/L
DV001000		2/20/2001	0.4	ND	0.2	ND	0.1	ug/L
DV001000		5/14/2001	0.4	ND	0.2	ND	0.1	ug/L
DV001000		8/13/2001	0.4	ND	0.2	ND	0.1	ug/L
DV001000		12/18/2000	4.0	ND	0.2	ND	0.1	ug/L
DV001000		2/20/2001	4.0	ND	0.2	ND	0.1	ug/L
DV001000		5/14/2001	4.0	ND	0.2	ND	0.1	ug/L
DV001000		8/13/2001	4.0	ND	0.2	ND	0.1	ug/L
SW-AV-TO2	Conservation Pipeline	10/20/2005	NA	ND	0.2	ND	0.1	ug/L

* PCBs = PCB 1016, PCB 1221, PCB 1232, PCB 1242, PCB 1248, PCB 1254, and PCB 1260