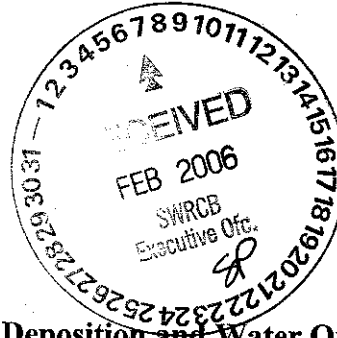


February 7, 2006

Via E-mail, Fax, and U.S. Mail

Dr. Gerald Bowes  
Division of Water Quality  
State Water Resources Control Board  
1001 I Street  
Sacramento, CA 95812-0100  
Fax: (916) 341-5584  
Email: gbowes@waterboards.ca.gov



Atmospheric  
Workshop: 2/9/06

**Subject: Comments on Atmospheric Deposition and Water Quality and the Joint State Water Resources Board and California Air Resources Board Workshop**

Dear Dr. Bowes and Members of the Board:

On behalf of the Coalition for Practical Regulation (CPR), an *ad hoc* group of 43 cities within Los Angeles County that have come together to address water quality issues, I would like to submit the following comments in advance of the joint State Water Resources Control Board and California Air Resources Board workshop on Atmospheric Deposition and Water Quality.

Our member cities are very interested in the relationship between atmospheric deposition and water quality. The importance of the air-water interface was made clear to us through the Los Angeles River Metals TMDLs. After reviewing research by scientists at the Southern California Coastal Water Research Project (SCCWRP) and UCLA demonstrated that indirect dry weather atmospheric deposition to the Los Angeles River Watershed could be several thousand kilograms per year and that estimates of copper, lead, and zinc deposited on the land were several times the estimated loads of these metals in the river, we became very concerned about the impacts of atmospheric deposition on water quality. When the Los Angeles Regional Water Quality Control Board decided to account for the loadings of metals associated with indirect atmospheric deposition in the estimates of storm water loadings, we became especially concerned about being required to remove the metals from storm water discharges. The metals should be controlled at the source, and the cities have no authority to do so.

California likes to think of itself as a leader in environmental regulation. However, it is far from a leader in addressing the air-water interface. Even though the California Air

Resources Board (ARB) and the State Water Resources Control Board (State Water Board) are both part of the California Environmental Protection Agency and housed in the same building, the two Boards appear to have focused on their specific media responsibilities and to have neglected the air-water interface.

The air-water interface issue is one of the most important environmental issues of our time – even more immediately important than the more publicized and popular global warming issue. About 75% of the planet's surface is water and atmospheric deposition of toxic metals and other pollutants is polluting that water. We need a California effort to address the air-water interface. We should not just depend on the Great Lakes or the East Coast states to show the way. Their problems are different than ours. Furthermore, it does not appear that we can depend on USEPA to lead.

USEPA did recognize the importance of the air-water interface sometime in the 1990s and its Office of Air and Radiation and its Office of Water started a cooperative program to assess and reduce atmospheric deposition of toxics and nitrogen to all water bodies in the United States. They prepared a January 2001 "Air-Water Interface Work Plan" and published a September 2001 Frequently Asked Questions About Atmospheric Deposition: A Handbook for Watershed Managers. These are both very informative documents, and we are attaching them for your review and consideration. However, the program seems to have floundered.

We do not know all that USEPA has done to implement the Work Plan, but it is not enough. In fact, the January 17, 2006 Proposed Rule on National Ambient Air Quality Standards for Particulate Matter ignores the air-water interface. Rather than revising the secondary standards to incorporate measures to address the impacts of atmospheric deposition on water quality, USEPA proposed that the current standards be amended to match the proposed amendments to the primary standards that are designed to respond to direct human health impacts of atmospheric deposition. The proposed rule does mention certain PM-related public welfare effects such as visibility impairment, soiling, and effects on vegetation and ecosystems, but it ignores water.

Therefore, California must develop its own work plan to address the air-water interface. The joint workshop is a step in the right direction. However, CPR is concerned that the workshop could lead to a prolonged period of consideration and inactivity. We ask that the two boards jointly take the lead in addressing the air-water interface in California now. We recommend that you quickly develop a work plan for both long and short-term measures. Specifically, we ask that the ARB and the State Water Board jointly:

1. Request that USEPA update the "Air-Water Interface Work Plan" prepared in January 2001 and implement the updated plan;
2. Submit comments to the Docket on the Proposed National Ambient Air Quality Standards for Particulate Matter requesting that the Secondary Standards include standards for fine and coarse particles providing protection against PM-related effects on water quality (due April 17, 2006);

3. Submit a request to EPA Region 9 to work with both the ARB and the State Water Board to address the air-water interface in California;
4. Develop a list of questions that need to be answered to effectively address the air-water interface and studies that could help answer the questions;
5. Develop a preliminary priority list for addressing air-water interface issues, emphasizing indirect dry deposition of toxic pollutants; and
6. Develop an Air-Water Interface Work Plan for California.

We are also asking that the Boards each take one immediate action to move forward toward effectively addressing the air-water interface in California. We ask:

- The ARB to develop a sampling protocol and framework to collect information on a broad range of particle sizes and the constituents of concern for water pollution associated with various particle sizes, and
- The State Water Board to adopt a policy that atmospheric deposition be assigned load allocations in Total Maximum Daily Loads and that agencies with appropriate regulatory powers be given responsibility for reducing these loads.

The Coalition for Practical Regulation appreciates the effort demonstrated by the State Water Board and the ARB in convening this joint workshop on atmospheric deposition and water quality. We strongly encourage the two boards to review our suggestions and the suggestions of other interested parties in order to make sure this joint venture is not a one-time occurrence. To effect any real change, the State Water Board and the ARB will need to cooperate and create a plan of action together to address the air-water interface in California.

Thank you for the opportunity to provide these comments.

Sincerely,

COALITION FOR PRACTICAL REGULATION

Larry Forrester  
CPR Steering Committee  
City Council Member, City of Signal Hill

cc: CPR Steering Committee  
CPR Members