3152 Shad Court
Simi Valley, CA 93063
September 2, 2008

State Water Resources Control Board
Jeanine Townsend, Clerk to the Board
1001 I Street, 24th Floor
Sacramento, CA 95814

Re: Notice of Public Hearing and Proposed Adoption of Proposed Water Quality Control Plan for Enclosed Bays and Estuaries of California, Part 1, Sediment Quality Objectives--Public Comment Letter.

Dear Members of the Board:

This letter is a follow-up to my August 29, 2008 letter on the aforementioned subject.

Members of the Board, in my haste to get my comments to you in a timely manner, I included comment #7 under the Legal Notice section of my August 29, 2008 letter instead of under the July 18, 2008 Draft Plan. I have made the correction in this letter. I have also added a new item under Legal Notice.

Members of the Board, in my August 29, 2008 letter, I inaccurately referred to the Draft Plan as the July 18, 2008 Draft Plan. My July 18, 2008 Draft Plan headings should read July 18, 2008 Draft Staff Report. In this letter, even though the numbering system under each heading continues my August 29, 2008 letter comments, I have corrected the headings.

Members of the Board, my August 29, 2008 letter comments regarding the January 29, 2008 Draft Plan should have also read January 29, 2008 Draft Staff Report(Page 3, July 18, 2008 Draft Plan, Comment #1). The comment should have read "Comparing the new public hearing Draft Staff Report to the January 29, 2008 Draft Staff Report was difficult...There were still some of the same underlined areas as in the January 29, 2008 Draft Staff Report." Please note that my August 29, 2008 Comment #5(Page 2), under Legal Notice, with regards to the "January 29, 2008 Draft Plan" stands.

Members of the Board, my August 29, 2008 letter comments regarding the September 27, 2007 Draft Plan(Page 4, July 18, 2008 Draft Plan Questions, Number 1) should have also read September 27, 2007 Draft Staff Report. The question should have read "...should not the September 27, 2007 public hearing Draft Staff Report...why has a new Draft Staff Report been released for comment?"

Members of the Board, my August 29, 2008 letter question number 8 should also have read "Have the January 29, 2008 Draft Staff Report..." instead of "Draft Plan Part 1".

Members of the Board, finally, please note that the paragraph on Page 5 of my August 29, 2008 letter should have read "the July 18, 2008 Draft Staff Report..." Sorry for any inconvenience I may have caused.

Members of the Board, please note that with regards to the Issues and Alternatives I have made my decisions from a layperson's perspective. Also, please note that I did not address the Alternatives' accompanying Proposed Language.

LEGAL NOTICE(Continued)

#7 - The Notice for the Board's September 16, 2008 public hearing states on Page 1 that "The State Water Board...submitted it to the Office of Administrative Law(OAL) on February 29, 2008." According to the June 27, 2005 Staff Report for Agenda Item 8 of the Board's July 6, 2005 Workshop on the SQOs, it is stated in the third bullet point that "By February 28, 2007, the State Water Board must adopt proposed objectives and implementation policy and submit to the Office of Administrative Law"("As required by Court Order, SQOs are to be developed under the following schedule", last sentence, second paragraph under DISCUSSION).

JULY 18, 2008 DRAFT STAFF REPORT(Continued)

#2 - Page 59, it is stated under Section 4.4 POINT SOURCES REGULATED UNDER CLEAN WATER ACT Section 402, second paragraph, last sentence, "The State Water Board's SIP addressed the implementation

of numeric toxic pollutant criteria and objectives of bay, estuarine, and inland surface waters." On Page 46, it is stated that the SIP is not applicable to stormwater discharges, nor address sediment quality specifically. The City of Simi Valley, City of Thousand Oaks, and the Camarillo Sanitary District Plants NPDES permit Orders newly revised have had storm water removed and not removed.

#3 - Page 67, it is stated "The NPS Program Plan does not contain management measures for abandoned mines, and there is no specific, comprehensive program at either the state or federal level for cleaning up abandoned and inactive mines other than coal...California's Title 27 Program regulates discharges of wastes to land, and can be used to pursue mine cleanups. Enforcement actions, however, are costly and have not been effective because responsible parties are difficult to locate, and current property owners either do not have, or will not spend money, to clean up their sites. The main barrier to a comprehensive program for abandoned mines is liability. Under the federal Clean Water Act, a third party can sue an agency or private party that performs abatement actions at an abandoned mine if the discharge from the mine continues to violate the Clean Water Act." While eye popping, this information is confusing due to the last paragraph's statements "As a land-managing agency, the USFS also has an abandoned mine reclamation program. The program includes an inventory of abandoned mines and locations, environmental and/or resource problems present, rehabilitation measures required, and potential sources of funding. The USFS has worked with various Regional Water Boards on numerous occasions in the rehabilitation of mine sites. Restoration funding comes from USFS funds, CERCLA, and RCRA sources. All lands disturbed by mineral activities must be reclaimed to a condition consistent with resource management plans, including air and water quality requirements(SWRCB, 2000; SWRCB, 2003). In addition, the Bureau of Land Management(BLM) has

an extensive abandoned mine land program." And, the information on top of Page 68. "All active mining projects must comply with the Surface Mining and Reclamation Act(SMARA). The Goal of SMARA is to have mined lands reclaimed to a beneficial end use. Local Enforcement Agencies (LEAs), usually counties, implement SMARA. The DOC's Office of Mine Reclamation provides technical support to LEAs but has limited enforcement authority. Mining projects that could impair water quality or beneficial uses may also be subject to NPDES permits or conditions under the Clean Water Act section 401 Water Quality Certification Program."

Clarity is extremely vital because, in Ventura County, if the Gillibrand Company's titanium mine ever closes, it would be nice to know whether a comprehensive program at the local, state, and/or federal government exists to clean it up in light of the new joint venture water treatment plant project between the Gillibrand Company and the City of Simi Valley that includes a brine line to a tributary of the Arroyo Simi.

#4 - Page 68, it is unfortunate that "Currently, there are no policies in California to directly address potential NPS pollution from atmospheric deposition. Atmospheric deposition is also not directly addressed in the NPS Program Plan, and only MM 2G(Fire Management) would address possible pollution of PAHs from forest fires" (Section 4.5.6 Atmospheric Deposition).

#5 - Page 128, for over 16 years, I have been aware that "Structural Controls" such as detention Basins/Retention Ponds are Municipal NPDES permit mitigation measures. The City of Simi Valley on March 1992 requested that the Ventura County Board of Supervisors include detention basins under the then Ventura County Flood Control District's Benefit Assessment Program. The plan was to build 6 to 11 dams, but to date only one has been constructed even though the County Board of Supervisors approved the City's request, and the City received State General/

Native American Community Development Block Grant Program funds, and FEMA HMGP funds for the regional stormwater detention basins project. No public hearings were held. There have been funding discrepancies at the City of Simi Valley, and County of Ventura for the moneys spent on the basins' project.

JULY 18, 2008 DRAFT STAFF REPORT ERRORS (Continued)

8. Page 80, "Alternative 4:" is not in bold; it is not consistent.

9. Page 117, "Baseline:" has been deleted.

10. Page 121, "Staff Recommendation" Alternative _" has been deleted.

JULY 18, 2008 DRAFT STAFF REPORT ISSUES AND ALTERNATIVES

#1 - Section 5.1.1: Staff Alternative 2 (Page 69).

#2 - Section 5.1.2: Staff Alternative 2 (Page 70).

#3 - Section 5.2.1: Staff Alternative 1 (Page 71).

#4 - Section 5.2.2: Staff Alternative 2 (Page 72).

#5 - Section 5.3.1: New Alternative 3--combination of Alternatives 1 and 2 (Page 74).

#6 - Section 5.3.2: Alternative 1 (Page 76).

#7 - Section 5.4.1: Staff Alternative 3 (Page 79).

#8 - Section 5.4.2: New Alternative 5--combination of Alternatives 3 and 4 (Page 80).

#9 - Section 5.4.3.1: Staff Alternative 2 (Page 81).

#10 - Section 5.4.3.2: Staff Alternative 4 (Page 87).

#11 - Section 5.4.3.3: Alternative 1 (Page 92).

#12 - Section 5.4.4.1: Staff Alternative 2 (Page 93).

#13 - Section 5.4.4.2: Alternative 2(Page 98).

#14 - Section 5.4.5.1: Staff Alternative 3(Page 102).

#15 - Section 5.4.6: Staff Alternative 2(Page 107).

#16 - Section 5.5.1: Staff Alternative 4(Page 109).

#17 - Section 5.5.2: Staff Alternative 3(Page 110).

#18 - Section 5.6: Alternative 3(Page 111).

#19 - Section 5.7.1: Alternative 2(Page 113).

#20 - Section 5.7.2: Alternative 1(Page 116).

#21 - Section 5.7.3: Staff Alternative 2(Page 118).

#22 - Section 5.7.4: Staff Alternative 3(Page 119).

#23 - Section 5.7.4.1: Staff Alternative 2(Page 120).

#24 - Section 5.7.4.2: Alternative 2(Page 120).

#25 - Section 5.7.4.3: Staff Alternative 2(Page 121).

#26 - Section 5.7.4.4: Alternative 2(Page 121).

APPENDIX A - DRAFT PLAN(2008 Document)

1. Include the date on the cover sheet.

2. Page 2, Table of Contents, Section "V.J" title differs from 2007 document.

3. Page 2, Table of Contents, Section "VII.H" combines parts of the 2007 document's section G, and G is very small. Section G title differs.

4. Page 20, under Section B. NPDES Receiving Water and Effluent Limits, added new language to item 1.

5. Page 26, paragraph before number 3, and 3.c, there is inconsistency with regards to Water Board and Regional Water Board.

APPENDIX B - ENVIRONMENTAL CHECKLIST (2008 Document)

1. Include the date on the cover sheet.

2. Number all of the pages.

3. Page 7, number 12 (Population and Housing), delete "Draft" from Board staff statement.

APPENDIX C - EXAMPLE PROBLEM (2008 Document)

1. Include the date on the cover sheet.

2. Number all of the pages.

3. Page 2, Figure 1, the steps have been deleted.

APPENDIX D - MAPS OF BAY PROTECTION TOXIC HOT SPOT MAPS

1. Did not find an equivalent document for 2007.

APPENDIX E - COMMENTS AND RESPONSES

1. Include the November 30, 2007 Public Comments list that was posted on the State Water Board's Website's "Documents for Public Comment" section along with the responses, and any other comments not submitted in a timely manner on the September 27, 2007 Draft Staff Report.

JULY 18, 2008 DRAFT STAFF REPORT QUESTIONS (Continued)

15. Why is "tide pool" study included under Non-contact Water Recreation on Table 5.1 Beneficial Uses for Enclosed Bays and Estuaries, and not under Water Contact Recreation--elementary school children from the Simi Valley Unified School District used to go on field trips to such an area in Ventura County? (Page 73)

16. The February 5, 2008 State Water Board's meeting Agenda Item 7 staff report on the SQOs stated on Page 2, under POLICY ISSUE, "1. Approve the

Substitute Environmental Documentation, Revised Draft(Final) Staff Report(updated January 30, 2008)?" I found the aforementioned report but the document is dated January 29, 2008. Is there another document dated January 30, 2008?

17. The February 5, 2008 State Water Board's meeting Agenda Item 7 staff report on the SQOs stated on Page 2, under POLICY ISSUE, "2. Adopt the Water Quality Control Plan for Enclosed Bays and Estuaries - Part 1 Sediment Quality?Revised version of the Plan(Updated February 1, 2008). Is this document the previous Appendix A - Draft Water Quality Control Plan for Enclosed Bays and Estuaries Plan Part 1 Sediment Quality?

Members of the Board, it is inexcusable that the public participation process to approve the 2007 SQOs substitute environmental document(Draft Staff Report), and Appendices was botched.

Sincerely,

Mrs. Teresa Jordan

Mrs. Teresa Jordan

Enclosure:

August 26, 2008, Letter to Ms. Tracy Egoscue, Executive Officer of the LARWQCB; September 11, 2008 Board Meeting Agenda.

3152 Shad Court
Simi Valley, CA 93063
August 26, 2008

Ms. Tracy Egoscue, Executive Officer
LARWQCB
320 W. 4th Street, Suite 200
Los Angeles, CA 90013

Re: The September 11, 2008 Board Meeting Agenda.

Dear Ms. Egoscue:

I am writing to ask that the inaccurate "comment period" date of May 16, 2008 noted under Agenda Items 11(Camarillo Sanitary District NPDES No. CA0053597), 12(City of Simi Valley NPDES No. CA0055221), and 13(City of Thousand Oaks NPDES No. CA0056294) be corrected to August 26, 2008.

Ms. Egoscue, if these inaccuracies--as posted on August 25, 2008--are allowed to stand, then my letters of August 15, 2008(Camarillo), August 17, 2008(Thousand Oaks), and August 20, 2008(Simi Valley) faxed to the Board in a timely manner are suppressed. This is a violation of the State's public participation process, the U.S. First Amendment of Free Speech, and my civil rights since Board staff's August 12, 2008 letters--posted on August 13, 2008--to Mr. Douglas Frost(Camarillo), Mr. James Langley(Simi Valley), and Mr. Chuck Rogers(Thousand Oaks) extended the comment period to August 26, 2008 Noon on the Revised Tentative Order(s).

Ms. Egoscue, if the September 11, 2008 Board meeting Agenda Items 11(Camarillo Plant WDRs), 12 (Simi Valley Plant WDRs), and 13(Thousand Oaks Plant WDRs) inaccuracies are not corrected ASAP, then Board staff is also voiding these facilities' August 2008 Revised Tentative Order(s).

Ms. Egoscue, I would really appreciate a written response to this letter.

Sincerely,

Mrs. Teresa Jordan