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February 18, 2004

Mr. Craig J. Wilson  
 TMDL Listing Unit, Division of Water Quality  
 State Water Resources Control Board  
 P. O. Box 100  
 Sacramento, CA 95812-0100

**Subject: 303(d) listing policy**

Dear Mr. Wilson:

On behalf of the Industrial Environmental Association, I would like to provide comments with regard to the State Water Resources Control Board 303(d) listing policy.

Our organization strongly supports the State Board's goal of establishing a standardized and consistent approach for assigning water bodies to the state's 303 (d) list and greatly appreciate the extensive staff work that has gone into the development of this policy. We endorse the inclusion of requirements for data quality and quantity and requirements for consistent and statistically valid data evaluations.

Specific comments we would like to offer:

- **Reinstatement of the Watch List:** We would be in favor of reinstating the "watch" list which was included in the July draft as a means to provide for planning and monitoring for cases where impairments are undetermined, cases where there is insufficient data to determine if an impairment exists and cases where water quality standards may be inappropriate.

There are several examples of water bodies in our region that have been inappropriately listed due to outdated and inaccurate data and other cases where the listing occurred virtually without any supporting documentation in the file to demonstrate an impairment.

- **Delisting:** We recommend the board have an off-ramp, or delisting process, in cases where there has been inadequate or old data that caused the original listing, evidence that natural sources are the cause of the impairment or the listing was due to inappropriate water quality standards.

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- **Identification of Pollutants:** Water bodies should not be listed for toxicity, adverse biological response or degradation of biological populations in the absence of identification of a pollutant causing such effects.

- **Pooled Data:** As the policy is now written, a segment of a water body would be placed on the list if only one sample from that segment exceeded water quality criteria and if samples in adjacent segments exceeded criteria. We recommend the draft policy be amended so that each water segment is required to be evaluated independently.

Again, we appreciate the tremendous amount of time that has gone into this policy and thank you for your consideration of our comments.

Sincerely,



Patti Krebs  
Executive Director