



DEPARTMENT OF PUBLIC WORKS OPERATIONS



October 19, 2006
File # 0780-85-KY181

By E-Mail and US Mail

State Water Resources Control Board
1001 I Street
Sacramento, CA 95814

Attention: Song Her, Clerk to the Board

SUBJECT: COMMENT LETTER – 2006 FEDERAL CWA SECTION 303(D) LIST

Thank you for the opportunity to provide comments on the Proposed 2006 Federal Clean Water Act Section 303(d) List. The City of Chula Vista requests removal of the following water segment-pollutant combination from the proposed 303(d) list:

Region: 9
Type: R
Name: Pogi Canyon Creek
Calwater Watershed: 91020000
Pollutant/Stressor: DDT
Potential Source: Source Unknown
Estimated Size: 7.8 Miles
Proposed TMDL: 2019
Completion

The reasons for the above request are as follows:

1. There appears to be discrepancies between test results obtained from the San Diego Regional Water Quality Control Board and those obtained from the SWAMP website. The reported values for DDT sampling results are not the same, and neither of the data sets is in agreement with the stated rationale for the 303(d) listing.

While, the values obtained from the San Diego Regional Water Quality Control Board show that the May 15, 2003 sample had a 4,4'-DDT value of 0.002 ug/L, the data from the SWAMP website shows an "nd" value for the same analysis on water from the same sampling event. It is unclear why this discrepancy exists, but it does raise questions about the data.

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2. The rationale for adding Poggi Creek to the 303(d) list is that two of three samples had DDT levels above the California Toxic Rule (CTR) limit. Depending on which data set is referenced, it appears that only one or zero of the samples had DDT above the CTR limit.
3. According to both data sets, a related compound also monitored at Poggi Creek, 4,4'-DDE, reportedly did have CTR exceedances in two of the three samples. It is possible that in the proposed 303(d) list, "DDT" was typed instead of "DDE". However, the QA/QC notes for DDE samples in the SWAMP data from the web indicate that the QA/QC status for one of the two samples for which DDE was detected (the April 21, 2003 sample) was "non-compliant with associated QAPP". It does not seem especially reasonable to base a 303(d) listing on such a small data set, particularly when one of the already limited number of analyses does not appear to have met relevant QA/QC standards.
4. Although DDT was used legally in the United States until 1972, its use has been banned ever since. It is not clear how this pollutant, if existing, can be eliminated or minimized in the receiving waters by actions from the responsible jurisdiction or any other party.

Thank you for your consideration of the above. We look forward to the delisting of the above referenced water segment-pollutant combination from the proposed 303(d) list. Should you have any questions or need further information, please call me at (619) 397-6121.



KIRK AMMERMAN
PRINCIPAL CIVIL ENGINEER

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