

ORANGE COUNTY

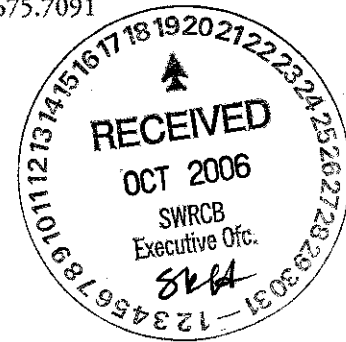
COASTKEEPER

EDUCATION / ADVOCACY / RESTORATION / ENFORCEMENT

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October 19, 2006

Song Her, Clerk to the Board
State Water Resources Control Board
Executive Office
1001 I st.
Sacramento, Ca. 95814



Subject: Comments on the Draft 303d List of Water Quality Limited Segments

Dear Ms. Her,

Orange County Coastkeeper is submitting the following comments on the State Boards draft Clean Water Act section 303(d) list of water quality limited segments for California.

1. The decision was made by the State Board to use the Effects Range Medium (ERM) developed by Long et.al. as the standard for determining exceedences for toxic metals in sediment statewide. In our opinion the ERM levels do not provide a sufficient level of protection to marine life. The levels outlined by Long et.al to create the ERM were not intended to be used as a standard to evaluate sediment quality. We propose that the standards used to determine potential sediment 303(d) listings provide the maximum protection to marine life rather than the lower protection offered by the ERM. O.C. Coastkeeper suggests the Threshold Effects Level (TEL) developed by Mc Donald et.al. as the preferred set, or at a minimum the Effects Range Low (ERL) developed by Long et.al. By using these lower standards to evaluate sediment and water quality for metals, the state will provide better protection for humans and wildlife from the bioaccumulative effects of toxic metals.
2. Recent data contained in the Orange County Coastal Watersheds Final Report submitted to the Santa Ana Regional Water Quality Control Board in August 2006 by Orange County Coastkeeper, shows that there is sufficient exceedences in basin plan objectives to list five additional streams in Orange County. As outlined in the Functional Equivalent Document for developing California's Clean Water Act Section 303d List, the following streams qualify for listing: Bolsa Chica Channel for Nitrate and pH; Borrego Wash for Ammonia; Delhi Channel for Nitrate; Peters Canyon Wash for Nitrate and pH; and Serrano Creek for Nitrate; Ammonia and pH. While this data has become available late in this listing cycle, O.C.Coastkeeper feels that the number of creeks qualifying for new listing in Orange County is substantial enough for consideration in this cycle.

Sincerely,

Ray Hiemstra
Associate Director-Projects
Orange County Coastkeeper