



ALAMEDA COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT

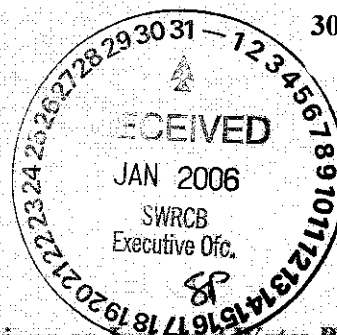
100 NORTH CANYONS PARKWAY, LIVERMORE, CA 94551

PHONE (925) 454-5000

January 31, 2006

303 (d) Deadline: 1/31/06

Ms. Selica Potter, Acting Clerk to the Board
State Water Resources Control Board
Executive Office
1001 I Street, 24th Floor
Sacramento, CA 95814



Re: Proposed Section 303(d) Listing of Del Valle Reservoir as an Impaired Water Body for Mercury and Polychlorinated Biphenyls

Dear Ms. Potter:

Zone 7 has reviewed the State Water Resources Control Board's (State Board's) September 2005 DRAFT staff report recommending Revisions of the Clean Water Act Section 303(d) List of Water Quality Limited Segments. Zone 7 has the following comments on the proposed listing of the Del Valle Reservoir as an impaired water body for mercury and polychlorinated biphenyls (PCBs).

By way of background, the Del Valle Reservoir is owned and operated by the California Department of Water Resources (DWR), in which State Water Project (SWP) water from the South Bay Aqueduct (SBA) is stored along with captured local runoff to serve the three SBA contractors: Zone 7 Water Agency, Alameda County Water District and the Santa Clara Valley Water District. The reservoir is operated both as a drinking water supply source and for flood control purposes. Storage operations are complicated by the flood control requirements imposed by the US Army Corps of Engineers.

Per the existing 2002 303(d) list, there are currently no reservoirs that are a part of the SWP network listed as an impaired water body. Listing this reservoir as an impaired water body for mercury and PCBs could potentially have implications both on DWR's operations as well as on the public's perception of the water quality of their drinking water supply source. Although the proposed listing is based on fish tissue sampling, there is a potential for the public to perceive their drinking water source as contaminated for these constituents. There is historical water quality data available indicating that no mercury or PCBs have been detected in this reservoir. In addition, based on existing watershed studies and monitoring data, there are no identifiable sources for either mercury or PCBs in this water body.

The proposed listing is based solely on fish tissue samples collected in April 2001. Catfish and largemouth bass were found to exceed the mercury guideline, while catfish alone was found to exceed the PCB guidelines. The East Bay Regional Park District (EBRPD) stocks Del Valle Reservoir with both catfish and largemouth bass for recreational purposes. 70% of the stocking is done with small fish (approximately one-pound size) and the remaining 30% consists of "trophy size" fish. In our opinion, using a small sample of stocked fish (many of which are already "trophy size") as the sole indicator of the "impairment" of the water body is questionable based on presently available facts.

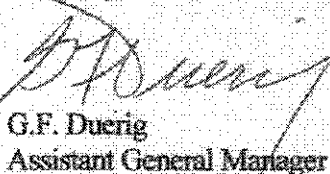
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From our understanding, additional sampling of this reservoir has already been completed but the results will not be available for at least six months. Furthermore, sediment sampling has not been conducted. Water sampling and watershed assessments have identified no contamination or potential contaminant source(s) for either mercury or PCBs. A determination of the mercury and PCB tissue content of the stocked fish upon arrival at Del Valle Reservoir has not been done.

In light of these factors, we request that the Water Board defer consideration of the listing of this water body as impaired until the next update of the 303(d) list which should take place later this year. This deferral, representing a relatively short time frame, would adequately protect public health (especially given that the proposal is based on data from 2001) while allowing State Board staff to: (1) perform sediment sampling in order to provide additional supporting evidence as to whether or not this reservoir should be listed as an impaired water body; (2) investigate the possibility that stocked fish already are contaminated with mercury and/or PCBs from other sources; and (3) review results of the additional sampling already conducted. Again, due to the fact that the Del Valle Reservoir is a water supply source that is a critical part of the State Water Project, we request that the Water Board take a more prudent course for this particular water body and consider these factors so as to avoid making a premature designation that lacks solid support from the currently available scientific data.

We appreciate the opportunity to comment on this document. If you have any questions or comments, please feel free to contact me at (925) 454-5016.

Sincerely,



G.F. Duerig
Assistant General Manager

JD:mdl

cc: Dan Peterson and Jeff Janik, Department of Water Resources
Doug Chun, Alameda County Water District
Laura Young, Santa Clara Valley Water District
Neal Fujita, East Bay Regional Parks District
Terry Erlewine and Laura King Moon, SWC
Dale Myers, Vince Wong, Karla Nemeth, Mary Lim, Amparo Flores