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MEMBERS OF THE CITY COUNCIL

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January 30, 2006

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



303 (d) Deadline: 1/31/06

Re: 2006 Proposed Revisions to the Clean Water Act (CWA) Section 303 (d) list

Dear Ms Potter:

The City of San Juan Capistrano submits the following comments to the 2006 Proposed Revisions to the CWA Section 303 (d) list. Please note that the City of San Juan Capistrano supports the comments provided by the County of Orange and is providing additional comments to the waterbody that may be impacted by the City of San Juan Capistrano.

The City is requesting that San Juan Creek not be listed for DDE because of the following:

Limited Data: San Juan Creek (DDE) along with several other potential listings in South Orange County are based on a **very limited number of samples** taken from **only one sampling location**. The Listing Policy states that "Samples should be representative of the water body segment. To the extent possible, samples should represent statistically or in a consistent targeted manner the segment of the water body." Samples taken from only one sampling location are not representative of the water body segment and should not be the sole basis for placement on the 303 (d) list.

Recommendation: Do not list based on data taken from one sampling location which is not representative of the water body as a whole; make correction to the Fact Sheet text.

Thank you for the opportunity to provide comments on the 2006 proposed revisions to the California Clean Water Act Section 303 (d) List. We look forward to working with the SWRCB in resolving these issues and producing an accurate and comprehensive list of impaired water bodies in the State of California.

San Juan Capistrano: Preserving the Past to Enhance the Future

Please contact Ziad Mazboudi at 949-234-4413 if you have any questions regarding these comments.

Respectfully,

A handwritten signature in black ink, consisting of a stylized 'N' followed by a horizontal line that ends in a small loop.

Nasser Abbaszadeh, PE
Director of Building and Engineering
City of San Juan Capistrano

CC: Dave Adams, City Manager
Ziad Mazboudi, Senior Civil Engineer
Lisa Zawaski, Dana Point
Nancy Palmer, Laguna Niguel
Humza Javed, Laguna Hills
Joe Ames, Mission Viejo
Erica Ryan, Rancho Santa Margarita
Richard Boone, County of Orange
Amanda Carr, County of Orange