



CITY OF NEWPORT BEACH

January 30, 2006

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



303 (d) Deadline: 1/31/06

Subject: 2006 Proposed Revisions to the Clean Water Act (CWA) Section 303(d) List

Dear Ms. Potter:

The City of Newport Beach is pleased to submit comments on the 2006 Proposed Revisions to the CWA Section 303(d) list. Our comments are in reference to and support of aspects of the comment letter submitted by the County of Orange, Resources and Development Management Department (RDMD).

Specifically, we would like to address the proposed listing for Balboa Beach for DDT, Dieldrin and PCBs. As mentioned by the County of Orange, we feel that fish tissue data alone should not be used for listing without corresponding water column and/or sediment data confirming the presence of the contaminant. Due to the migratory nature of most fish, particularly sport fish, the presence of contaminants in fish tissue caught at a particular location does not necessarily indicate that the exposure to the contaminant occurred that that location. In addition, we understand that the majority of the fish tissue data was collected in 1999-2000, and we are concerned about using data that is 6-7 years old.

We appreciate this opportunity to comment on the 2006 Proposed Revisions to the CWA Section 303(d) List, and look forward to working with the SWRCB on these issues.

Sincerely,

JOHN KAPPELER
Water Quality Specialist
City of Newport Beach

cc: Craig Wilson, SWRCB
Dave Kiff, Assistant City Manager, City Manager's Office
Bob Stein, Principal Civil Engineer, Public Works Department