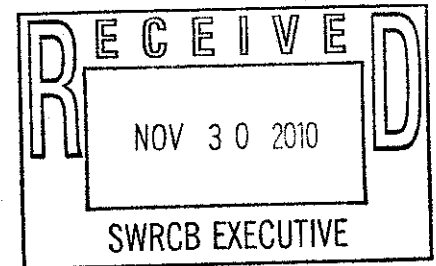


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November 30, 2010

Ms. Jeanine Townsend
Clerk to the State Water Resources Control Board

RE: Comment Letter – San Diego Water Board Indicator Bacteria, Project 1



Dear Ms. Townsend:

The City of Escondido appreciates the opportunity to provide comments/recommendations concerning the San Diego Water Board Indicator Bacteria, Project 1. The following are the City's comments on various elements of the proposed project, many of which are most likely supported by other San Diego Copermittees.

Generally, several inconsistent elements of the proposed Indicator Bacteria, Project 1 Total Maximum Daily Load (TMDL) are of concern to Escondido. For example, the City believes the TMDL should include exceedance frequencies for dry weather similar to those included for wet weather. Moreover, the Regional Board has not provided a sufficient rationale for why it is supportive of including a wet weather exceedance frequency that is based on a reference system in another region, but requires a region-specific study to establish a dry weather exceedance frequency.

Another inconsistency applies to the definition of a rain event, which is currently "days with rainfall events of 0.2 inches or greater and the following 72 hours." This definition places Phase 1 dischargers under two different triggering conditions for wet weather sampling and thereby limits the ability of Phase 1 MS4s to coordinate TMDL monitoring with MS4 Permit monitoring. Additionally, using the 0.2 inches definition creates a greater number of dry weather days over the duration of a monitoring season. Moreover, since the bacteria TMDL allows no exceedances of water quality objectives during dry weather days, dischargers are ultimately required to meet 100 percent achievement of water quality objectives after a storm event as large as 0.19 inches—a standard that is inconsistent with the reference system approach. Still other inconsistencies include the unavailability of data from the NPDES program to assess wet weather TMDL compliance at beaches. Although AB411 requires monitoring at designated beaches between April 1 and October 31, the Bacteria TMDL requires monitoring during every wet weather event "at least 24 hours of the end of the storm event that occurs during the rainy season." This requirement represents new monitoring that is not specified under existing programs. In addition, while the Bacteria TMDL requires creeks to be sampled during dry weather a minimum of two locations at least monthly and during every wet event at least once within 24 hours of a storm event that occurs during the rainy season, the Copermittees' watershed compliance program features rotational sampling (i.e., one-half of San Diego Country watersheds are sampled during one year and the other half during the following year). Overall, the TMDL creek monitoring scope represents a substantial increase in dry weather monitoring than was indicated by Regional Board staff in response to public comments and during the adoption hearing.

Again, the City of Escondido appreciates the opportunity to comment on the Bacteria 1 TMDL and anticipates that its and other Copermittees' concerns will be adequately considered and addressed.

Sincerely,

Cheryl Filar, Environmental Programs Manager