First Revised Proposed Final

Summary of Comments and Responses

Clean Water Act Section 303(d) List Portion of the 2026 California Integrated Report

Finalized Date:

January 23, 2026

STATE WATER RESOURCES CONTROL BOARD

CALIFORNIA ENVIRONMENTAL PROTECTION AGENCY

The Summary of Comments and Responses was posted on December 22, 2025.

This First Revised Proposed Final Summary of Comments and Responses was posted on January 23, 2026. Revisions to the December 22, 2025 Summary of Comments and Responses are shown with a single underline for additions or a single ~~strikeout~~ for deletions, except for this page and the table of contents.

Table of Contents

Introduction

The State Water Resources Control Board ("State Water Board") received 33 written comment letters on the Draft Clean Water Act Section 303(d) list (referred to as the 303(d) list) of water quality limited segments portion of the Draft 2026 California Integrated Report. The public comment period for the Draft Staff Report and Draft 303(d) list started on January 30, 2025, and closed at noon on April 5, 2025. The State Water Board also received oral comments at a hearing held on March 15, 2025. The State Water Board is administering the listing process for all waters assessed during the listing cycle for the 2026 California Integrated Report, in accordance with section 6.2 of the Water Quality Control Policy for Developing California's Clean Water Act Section 303(d) List ("Listing Policy").

This document contains responses to the comments submitted to the State Water Board on the Draft Staff Report and 303(d) list. If appropriate, monitoring locations, waterbody segments, Waterbody Fact Sheets that include lines of evidence ("LOEs") and decisions, listing recommendations, and the Draft Staff Report were revised based on comments received. The Proposed Final Draft Staff Report is distributed to reflect the revisions made.

Comment letters and oral comments are assigned an identifying number (1 through 39). This Response to Comment document provides a summary of similar comments under ten comment categories, along with a State Water Board response. Appendix A: Comprehensive List of Revised CalWQA Decisions includes all CalWQA Decision IDs discussed in the responses, whether a change to the listing recommendation was made or not. It also includes any miscellaneous changes made to CalWQA decisions that were not mentioned in comments. The section labeled "Comprehensive List of Comments Received" provides a list of the commenter letters with the corresponding identifying numbers and the comment category or categories where the responses can be found.

List of Abbreviations and Acronyms

ATLs:	Advisory Tissue Levels
ASCI:	Algal Stream Condition Index
ALBs:	Aquatic Life Benchmarks
Basin Plan:	Regional Water Quality Control Plan
BMP:	Best management practice
CalWQA:	California Water Quality Assessment (Database)
CCC:	National Recommended Aquatic Life Criteria Freshwater Criterion Continuous Concentration

CEDEN:	California Environmental Data Exchange Network
CHHSL	California Human Health Screening Levels
COLD:	Cold Freshwater Habitat
Corps:	United States Army Corps of Engineers
CSCI:	California Stream Condition Index
CVCWA:	Central Valley Clean Water Association
CWA:	Clean Water Act
DNQ:	Detected, but Not Quantified
DOC:	Dissolved Organic Carbon
DW:	Dry Weight
EC:	Electrical Conductivity
FCGs:	Fish Contaminant Goals
HU:	Hydrologic Unit
IBI	Index of Biological Integrity
ILRP:	Irrigated Lands Regulatory Program
Listing Policy:	Water Quality Control Policy for Developing California's Section 303(d) List
LOE:	Line of Evidence
MDL:	Method Detection Limit
MS4:	Municipal Separate Storm Sewer System
NPDES:	National Pollutant Discharge Elimination System
OA:	Ocean Acidification
QA:	Quality Assurance
ODEQ:	Oregon Department of Environmental Quality
OEHHA:	Office of Environmental Health Hazard Assessment
OPP:	Office of Pesticide Programs
OWTS Policy:	Onsite Wastewater Treatment System Policy, formally titled the Water Quality Control Policy for Siting, Design, Operation, and Maintenance of Onsite Wastewater Treatment Systems
QAPP:	Quality Assurance Project Plan
QC:	Quality Control
Regional Water Board:	Regional Water Quality Control Board
RL:	Reporting Limit
ROMS-BEC:	Regional Ocean Modeling System-Biogeochemical Elemental Cycling
SCCWRP:	Southern California Coastal Water Research Project
SFEI:	San Francisco Estuary Institute
SHELL:	Shellfish Harvesting Beneficial Use
SSO:	Site-specific Objective
State Water Board:	State Water Resources Control Board
SWAMP:	Surface Water Ambient Monitoring Program
TMDL:	Total Maximum Daily Load
TOC:	Total Organic Carbon
WOTUS:	Water of the United States
WQP:	Water Quality Portal

USEPA:	United States Environmental Protection Agency
USGS:	United States Geological Survey
WARM:	Warm Freshwater Habitat
WOTUS:	Waters of the United States

Response to Comments

Comment Category 1: Benthic Community Effects

Comment Number(s)	Comment Category 1: Benthic Community Effects
19.05; 19.06; 19.07; 19.08; 21.06; 25.04; 25.05; 27.14(a); 27.14(c); 27.14(d); 28.02; 28.03; 29.12; 30.03; 30.04; 37.01; 37.05;	**A: Comment Category Subtopic**: Benthic Community Effects Impairment Identification **Commenters:** Central Valley Clean Water Association, City of Roseville, Los Angeles Department of Water and Power, Riverside County Flood Control and Water Conservation District, Basin Monitoring Program Task Force, California Stormwater Quality Association, Lake Elsinore and Canyon Lake TMDL Task Force, Larry Walker Associates **Comment Summary:** Several commenters objected to the use of the CSCI score of 0.79 as an evaluation guideline for determining impairment. They stated that the score was developed as a reference condition for relatively pristine waters and has not been adopted as a formal numeric water quality objective through the rulemaking process required by the California Water Code. The commenters emphasized that under Water Code sections 13241 and 13242, factors such as attainability, cost, natural conditions, and overall benefit must be evaluated before establishing numeric water quality objectives. Specifically, commenters stated that application of the 0.79 CSCI is premature and shouldn't be applied until the statewide Biostimulation, Cyanotoxins, and Biological Condition Provisions are complete. They asserted that using the 0.79 score as an evaluation guideline effectively turns it into a de facto statewide water quality objective without proper public review or rulemaking process. Several commenters also stated that the State Water Board and USEPA have improperly used the CSCI score of 0.79 as a regulatory criterion to move waterbody segments from condition category 3 to condition category 5, despite the absence of an associated pollutant. The commenters requested that all new or

	recategorized benthic community effect listings remain in Category 3 until the State Water Board adopts biological objectives and establishes a clear methodology for identifying pollutants causing impairment. The commenters also expressed concern that many listings for benthic community effects rely on a small number of samples which do not meet the statistical requirements outlined in Tables 3.1 and 3.2 of the Listing Policy for confirming impairment. They argued that with so few data points, there is no demonstrated statistical significance or causal link to specific pollutants, and therefore additional samples should be required before listing. Commenters requested that specific waterbody segments were reviewed to ensure that listings are not based on only one exceedance, below the minimum number required by Listing Policy Section 3.1. **Response:** Changes were made in response to these comments. Specifically, waters that were listed as impaired for benthic community effects in the January 30, 2025 Draft 2026 303(d) List due to only one exceedance were revised to "Do Not List" decisions. The use of the 0.79 CSCI score as a reference condition and decisions to list waters as impaired for benthic community effects **are** ~~**is**~~ described below. The USEPA requires that states assemble and evaluate all existing and readily available water quality related data and information for use in developing their CWA Section 303(d) lists. (40 C.F.R. § 130.7(b)(5).) The Listing Policy outlines the requirements with which the Water Boards must comply to develop the 303(d) list. The 0.79 CSCI score is not an evaluation guideline or a water quality objective. It's a reference threshold used to assess bioassessment data to determine attainment of narrative water quality objectives in accordance with sections 3.9 and 6.1.5.8 of the Listing Policy. Listing Policy section 3.9 allows the use of a reference site or sites to compare degradation in biological populations and/or communities. Section 6.1.5.8 requires a method of selecting reference sites and applying them to develop an Index of Biological Integrity, which has been done and validated by the CSCI threshold study authored by Mazor et al. (2016). If a different assessment methodology were to be applied that does not compare to reference conditions, there would be a need to either amend the Listing Policy to revise the requirement to compare data to reference conditions or adopt a water quality objective that would allow for a different way to measure the support of the aquatic life beneficial use. The use of the 0.79 CSCI score as the reference threshold does not establish the score as a de facto water quality objective.

	For the 2026 California Integrated Report, waterbody segments that are not located in the Central Valley floor were placed into ~~C~~ **subc**ategory 5-bio for benthic community effects when two conditions were met: (1) data and information demonstrated degraded benthic communities as compared to reference sites; and (2) the same waterbody segment was impaired by at least one pollutant for a designated aquatic life beneficial use. Please refer to Subtopic B: Benthic Community Effects Impairment Categorization for a discussion on the 5-bio condition **sub**category. Benthic community degradation is demonstrated when at least two CSCI scores are below the 10th percentile reference threshold (i.e., 0.79) in a waterbody segment with at least two CSCI sample scores. Section 3.9 of the Listing Policy requires a pollutant to be associated with degraded biology before placing a waterbody on the 303(d) list as impaired for benthic community effects. Section 3.9 specifies the association of chemical concentrations, temperature, dissolved oxygen, trash, and other applicable pollutants shall be determined using sections 3.1, 3.2, 3.6, 3.7, 6.1.5.9, or other applicable sections. A pollutant association is presumed but may be rebutted through additional analysis if evidence shows the degraded biology is unrelated to that pollutant. The option to rebut the presumption provides a means to not list when the pollutant is not associated with the degraded biology. Please refer to Subtopic C: Determining Causation of Impaired Benthic Communities for more information. Benthic community data were reviewed to ensure that there were at least two samples with CSCI scores below the 10th percentile reference threshold of 0.79 to list **based on the CSCI**. Listing Policy Section 3.9 states, “The analysis should rely on measurements from at least two stations,” and “Bioassessment data used for listing decisions shall be consistent with section 6.1.5.8.” Section 6.1.5.8 requires the assessment of biological community or population data, such as CSCI scores, to determine whether biological populations or communities are significantly degraded as compared to reference sites. For bioassessment purposes, measurements at a single stream reach may be sufficient to warrant listing if the impairment is associated with a pollutant, as described in Section 3.9. Accordingly, all waterbody segments that were previously listed for benthic community effects impairments were reviewed, and those that were placed on the January 30, 2025 Draft 2026 303(d) List based on one (1) CSCI score below the reference threshold were revised to “Do Not List.” For a complete list of decisions that were revised based on this review, please reference Response to Comments Appendix A: Comprehensive List of Revised CalWQA Decisions for CalWQA Decisions associated with this comment.

22.04(b); 22.04(e); 27.10(b); 27.10(c); 27.12; 27.13; 27.14(b); 27.17; 27.18; 28.01; 28.04; 29.03; 29.04; 29.05; 30.05; 35.01; 37.01; 37.04; 39.02; 39.03;	**B: Comment Category Subtopic:** Benthic Community Effects Impairment Categorization **Commenter(s):** City of Stockton and County of San Joaquin, Riverside County Flood Control and Water Conservation District, Basin Monitoring Program Task Force, California Stormwater Quality Association, Lake Elsinore and Canyon Lake TMDL Task Force, Larry Walker Associates, Tess Dunham **Comment Summary:** Several commenters disagreed with USEPA's decision and the Water Boards' subsequent decision to comport with USEPA's approach to place waterbodies in Category 5 for benthic community effects as stated in USEPA's Partial Approval and Partial Disapproval of California's 2024 List of Impaired Waters letter ("Partial Disapproval Letter", https://www.epa.gov/system/files/documents/2024-12/ca-2024-303d-list-epa-partial-approval-disapproval-2024-12-12.pdf). Commenters stated that the waterbodies should remain in Category 3 due to lack of affirmation and finalization of USEPA's position. Commenters expressed that the Category 3 placement approach was correct, consistent with the Listing Policy, and met federal requirements. Commenters stated that the State Water Board should have discretion to disregard USEPA's decision and to adopt a different approach by placing waterbodies in Category 3 until a more robust association methodology is developed. Additionally, USEPA's partial disapproval should not be the sole reason for changing the listing status when the 2024 California Integrated Report acknowledged the uncertainty in associating specific pollutants to biological degradation. The California Stormwater Quality Association shared that several groups had submitted comments to the USEPA during the federal public process. Some commenters requested USEPA to withdraw its partial disapproval of the 44 waterbodies in question from the 2024 California Integrated Report. Commenters expressed concern that USEPA's action to place waterbody segments in Category 5 is inappropriate because the 44 waterbodies were not associated with pollutant impairments or other factors, such as flow conditions, channel design, and seasonality, were not taken into consideration. Commenters also expressed concern that Category 5 placement would require additional monitoring, specifically under the Irrigated Lands Regulatory Program. **Response:**

	Changes were made in response to these comments. Specifically, waters that were found to be impaired for benthic community effects were placed into a new condition subcategory named “5-bio.” Please refer to Subtopic A: Benthic Community Effects Impairment Identification for a discussion on how waterbody segments are assessed for benthic community effects impairments consistent with the Listing Policy. As described in the 2024 California Integrated Report, the Category 3 placement for benthic community effects was an interim approach until the State Water Board developed a methodology for determining association of pollutants to degraded benthic community. The USEPA in their Partial Disapproval Letter asserted that the lack of an assessment methodology to associate degraded biology to a pollutant impairment is not by itself a basis to decline to evaluate readily available data or information. The USEPA further stated that “[s]tates should include impaired and threatened waters in Category 5 when a water is shown to be impaired or threatened by biological assessments used to evaluate aquatic life uses or narrative or numeric criteria adopted to protect those uses, even if the specific pollutant is not known.” However, the 44 waterbody-pollutant combinations identified in USEPA’s Partial Disapproval Letter were not placed in Category 5 for degraded biology alone. Most of the waterbody-pollutant combinations identified in USEPA’s letter had at least one pollutant impairment. However, the Decisions for the following ~~four~~ waterbody-pollutant combinations were revised due to errors in the original assessments: • San Jacinto River Reach 1 (Decision ID 153776) was revised from “List” to “Delist” • Santa Ana River Reach 2 (Decision ID 153753) was revised from “List” to “Delist” • North Fork Cache Creek (Decision ID 151316) was revised from “Do not Delist” to “Delist” Additionally, staff corrected five LOEs were incorrectly associated with Santa Ana River, Reach 2. These LOEs were rewritten and transferred to Collins Channel, a newly mapped waterbody segment, and identified as “Do not List” (Decision ID 172192). For a complete list of decisions that were revised, please refer to Response to Comments Appendix A: Comprehensive List of Revised CalWQA Decisions for final CalWQA Decisions associated with this comment. **~~The Partial Disapproval Letter explains the process and timeline for when the USEPA disapproves a listing decision. If USEPA disapproves a decision listing, the USEPA must identify the waterbodies and include them in the 303(d) list no later than 30 days after the disapproval decision. If USEPA deems any revisions appropriate after considering public comments, USEPA transmits~~**

~~the revised listings to the state. Because the listings were transmitted from USEPA to the State Water Board via the Partial Disapproval Letter and no revisions were later provided, the State Water Board recognizes the Partial Disapproval Letter as the most recent formal action taken on the 2024 California Integrated Report. The State Water Board does not have the authority to overturn an action taken by the USEPA.~~

USEPA solicited public comment on its December 12, 2024 partial approval/disapproval, and has added those waterbodies into Category 5 of the 2024 303(d) List as reflected in the USEPA Assessment, Total Maximum Daily Load Tracking and Implementation System ("ATTAINS"). While USEPA has not sent a subsequent letter to officially affirm its placement of the 44 waterbodies into Category 5 following its receipt of comments, the State Water Board recognizes that the 44 waterbodies are currently on the 2024 303(d) List and, therefore, is continuing to place the waterbodies on the 2026 303(d) List, with the revisions described above. If USEPA ultimately removes these waterbodies from its 2024 303(d) List in response to the comments that it received, the State Water Board will reconsider whether they should remain on its 2028 303(d) List.

Therefore, waterbody segments impaired by benthic community effects, as described in Subtopic A above, were placed into a new condition subcategory named "5-bio." Condition subcategory 5-bio is defined as follows:

> *Degraded biological populations and communities indicate that at least one aquatic life beneficial use is not supported. This impairment determination must be supported by at least one pollutant impairment for an aquatic life beneficial use on the same waterbody segment. A Total Maximum Daily Load for the associated pollutant(s) may be used to further assess the association between the associated pollutant(s) and the degraded biological populations and communities and, as appropriate, help to restore the degraded biological populations and communities. A Total Maximum Daily Load for the degraded biological populations and communities is not appropriate because Total Maximum Daily Loads are intended for pollutants.*

This new subcategory is intended to clearly describe that TMDLs addressing benthic community effects impairments are to be developed for the causal pollutant(s) and that determining the cause(s) is part of the process when developing the associated pollutant TMDL. It also provides that a TMDL cannot be written

	for benthic community effects for waterbodies placed into subcategory 5-bio because a benthic community effect is an indicator of impairment, not the cause (i.e., a pollutant). The aquatic life beneficial use support determination identified in the first sentence of the above definition applies specifically to the COLD and WARM beneficial uses when assessing data and information using the CSCI for the 2026 California Integrated Report. Both the WARM and COLD beneficial uses specifically identify invertebrates. The aquatic life beneficial use support determination identified in the second sentence for associated pollutants may apply to the COLD and WARM beneficial uses as well as additional aquatic life beneficial uses, including but not limited to: **SAL,** EST, BIOL, RARE, MIGR, and SPWN. While most pollutants are assessed to determine if the COLD or WARM uses are attained, there are instances where other aquatic life beneficial uses are more sensitive than COLD or WARM uses and more stringent objectives, criteria, or evaluation guidelines are used to assess pollutant data. For more information on beneficial uses, and definitions, please see section 2.3.1 of the Proposed Final Staff Report for the 2026 California Integrated Report. The definition for 5-bio provides that in order for a waterbody segment to be placed in 5-bio there needs to be at least one pollutant impairment for an aquatic life beneficial use on the same waterbody segment. It's important to note that for some waterbody segments, other factors in addition to pollutant impairments may contribute to degraded biology, such as the effects of pollution. If it can be demonstrated that pollution (e.g., lack of flow) is the **sole** cause of the degraded benthic community, the waterbody segment may be placed in Category 4c, indicating that non-attainment of any applicable water quality standard is the result of pollution. While an impairment may be caused by a combination of both pollutant and pollution factors, a waterbody can only be placed into Category 4c when no known pollutant impairments exist. No regulatory action is required for waterbodies placed in Category 4c. However, when there were data and/or information to demonstrate that the benthic community was degraded but there was not at least one pollutant impairment associated with degraded biology, the waterbody-pollutant combination was placed into Category 3 because the data and/or information indicated aquatic life beneficial use may be potentially threatened. Similarly, if a pollutant impairment is addressed and the waterbody segment is no longer listed as impaired by the pollutant, but the benthic community has not improved and there are no other associated pollutant impairments, the waterbody segment will be placed Category 3, indicating that beneficial uses may be potentially threatened. (See Staff Report Section 2.5: Integrated Report Condition Categories for more information.)

	Waterbodies placed in subcategory 5-bio were assigned a “N/A” for “Not Applicable” in the TMDL development priority field in the Proposed Final 2026 Integrated Report Staff Report, Appendix P: Waterbodies in Subcategory 5-bio for Benthic Community Effects. State Water Board staff intends to make future upgrades to the CalWQA Database so that CalWQA will have the ability to show “N/A” in the TMDL development priority field when appropriate. However, due to technical limitations for the federal database ATTAINS, once the California 2026 303(d) List is submitted to ATTAINS, waterbodies placed in subcategory 5-bio will be assigned a low priority for development of a pollutant TMDL by default. A Regional Water Board may assign a higher TMDL development priority for the associated pollutant(s) at its discretion. This approach aligns with USEPA’s Memorandum: Guidance for the 2004 Assessment, Listing and Reporting Requirements Pursuant to Sections 303(d) and 305(b) of the Clean Water Act; TMDL–01-03 (https://www.epa.gov/sites/default/files/2015-10/documents/2003_07_23_tmdl_tmdl0103_2004rpt_guidance.pdf). In Section II.A. of the USEPA Memorandum, USEPA affirms that “... in order to refine their classifications, States may choose to establish new or additional subcategories.” Currently, Waterbody Fact Sheets (Appendix B) do not have the capability to display the new subcategory 5-bio, nor do they have the capability to display categorization at the waterbody-pollutant level because categorization is displayed at the waterbody level. Additionally, Waterbody Fact Sheets display a default TMDL requirements status of 5A for any waterbody-pollutant combinations placed in condition category 5. As an interim solution, waterbody-pollutant combinations placed in subcategory 5-bio are identified in Appendix P: Waterbodies in Subcategory 5-bio for Benthic Community Effects of the Proposed Final Staff Report for the 2026 California Integrated Report. Staff will update the Waterbody Fact Sheets to reflect the new condition subcategory 5-bio in a future integrated report cycle. Waterbody-pollutant combinations can be placed in ~~C~~ **subc**ategory 5-bio during California’s submission of the 2026 California Integrated Report to USEPA via ATTAINS. The State Water Board encourages the Regional Water Boards to use discretion where appropriate in establishing permitting, monitoring, and other data collection requirements for benthic community effects impairments. The 44 waterbody-pollutant combinations identified in USEPA’s Partial Disapproval Letter were reviewed to ensure that there was at least one pollutant impairment and benthic community impairments were based on at least two samples with CSCI scores below the 10th percentile reference threshold of 0.79 to

	list and were not located on the Central Valley floor. Changes to decisions are identified in Appendix A: Comprehensive List of Revised CalWQA Decisions for revisions CalWQA Decisions.
22.04(c); 22.04(d); 29.06; 29.07; 29.08; 35.02; 35.03	**C: Comment Category Subtopic:** Determining Causation of Impaired Benthic Communities **Commenter(s):** City of Stockton and County of San Joaquin, California Stormwater Quality Association **Comment Summary:** The commenters disagreed with placing waterbody segments in condition category 5 unless the State Water Board can demonstrate that the associated pollutant(s) are causing or contributing to degraded biology. The commenters express concern that presuming that an associated pollutant(s) is causing or contributing to degraded biology without first determining the cause would place significant resources and regulatory burden on the affected agencies to conduct the studies necessary to determine the cause of degraded biology and the possible sources of pollutant(s). The commenters mentioned significant, long-term regulatory and financial impact on affected parties like stormwater permittees because immediate permit actions are triggered such as pollutant reduction plans, inspections, and BMP implementation. **Response:** Changes were not made in response to this comment. Section 3.9 of the Listing Policy states, in part, “A water segment shall be placed on the section 303(d) list if the water segment exhibits significant degradation in biological populations and/or communities as compared to reference site(s) and is associated with water or sediment concentrations of pollutants including but not limited to chemical concentrations, temperature, dissolved oxygen, and trash.” When assessing data and information for BCE assessments, the evaluation considers whether pollutant(s) have the potential to adversely affect aquatic life beneficial uses in accordance with the relevant sections of the Listing Policy. A presumption exists that the pollutant is associated with or potentially responsible for the degraded biology and the waterbody segment is listed as impaired under Listing Policy section 3.9. In other words, an “association” is presumed to exist when degraded biology occurs in the same water quality-limited segment where a pollutant impairment(s) for aquatic life beneficial uses is also present. For

	more information about the assessment methodology applied for BCE assessments, please see Subtopic A: Benthic Community Effects Impairment Identification. Regional Water Boards may apply an additional optional analysis in future listing cycles to rebut the presumption that the pollutant is associated with or potentially responsible for the degraded biology. For example, additional analysis may consider the spatial and temporal relationship between the pollutant data and the biology data to determine if the pollutant is likely not contributing to degraded biology. Additionally, Regional Water Boards may apply different tools available to demonstrate that a pollutant is not likely a cause for the degraded biology, such as USEPA stressor modules or the Causal Analysis/Diagnosis Decision Information System. Note that these tools are also useful to show that a pollutant has characteristics that are likely to negatively impact biology. Additionally, analyses should be scientifically defensible and reproducible. Regional Water Boards may apply this additional optional analysis during the decision-making phase of integrated report development. The additional analysis may be applied to waterbody segments that are already identified as impaired for BCEs. If the additional optional analysis is applied to waterbody segments that are already identified as impaired on the 303(d) list, and the analysis shows that the previously associated pollutant is not likely a cause of the degraded biology, that waterbody segment may be placed in condition category 3. Members of public are welcome to submit additional information to help inform the optional analysis to rebut the presumption that the pollutant is associated with or potentially responsible for the degraded biology. Information can be shared with the appropriate Regional Water Board staff, the wqassessment@waterboards.ca.gov email address at the State Water Board, or during the public review and comment period for future integrated reports. Finally, State Water Board staff researched multiple permits across multiple programs to better understand the nexus between the 303(d) list and water quality permit requirements. Staff found that monitoring requirements associated with already established permits are more likely for pollutants that are listed on the 303(d) list, rather than for bioassessment monitoring of the benthic community. When bioassessment monitoring is required, its primary use is to assess the biological health of receiving waters, document baseline biological conditions, consider trends, and/or evaluate effectiveness of runoff pollution control measures. These requirements are not imposed due to a benthic community effects impairment. However, one example was found that required the discharger to conduct more frequent benthic community effects monitoring due to a benthic community effects 303(d) listing. Research finds that discretion has been appropriately used when considering monitoring and reporting requirements for benthic community effects.

	Please refer to Comment Category 3: Understanding the Nexus Between the 303(d) List and Permits for more information.
29.11	**D: Comment Category Subtopic:** Use of the CSCI and ASCI in the Integrated Report **Commenter(s):** California Stormwater Quality Association **Comment Summary:** The commenter stated that the integrated report is silent on other scientific tools and studies, such as the Algae Stream Condition Index and Bio Integrity Prediction Model. Therefore, the proposed Category 5 placements are premature as they are in advance of policy development, scientific tools, and data interpretation. Lastly, the commenter stated that the use of the CSCI in absence of statewide guidance will result in statewide inconsistent, inappropriate, and inaccurate listings. **Response:** No changes were made in response to this comment. Additional progress on biological assessment tools such as the ASCI and the Bio Integrity Prediction Model is welcomed but not necessary to use CSCI data in the California Integrated Report. The CSCI is a well-established tool to measure the biological condition of benthic macroinvertebrates, has been peer reviewed, and is used across multiple Water Board programs to measure biological health and impacts to benthic communities. It is also not necessary to have additional policies in place to use CSCI data in the California Integrated Report. Using CSCI data is consistent with the requirements of section 3.9 of the Listing Policy, which states that "a water segment shall be placed on the section 303(d) list if the water segment exhibits significant degradation in biological populations and/or communities as compared to reference site(s) and is associated with water or sediment concentrations of pollutants . . ." Please refer to section 3.9.1 of the Proposed Final 2026 Integrated Report Staff Report and Subtopic A above for further details on the CSCI for the California Integrated Report. The Staff Report, in particular, is useful in explaining the statewide assessment process that is in place to help ensure consistent, appropriate, and accurate listings.
27.16; 28.07; 29.10; 39.01	**E: Comment Category Subtopic:** The CSCI and Modified Non-constructed Channels and Constructed Channels

	Commenter(s): Riverside County Flood Control & Water Conservation District, Basin Monitoring Program Task Force, California Stormwater Quality Association, Kahn, Soares & Conway **Comment Summary:** The commenters expressed concerns that the CSCI score of 0.79 does not account for characteristics of modified non-constructed channels and constructed channels. This includes storm drainage channels, agricultural drains, agricultural supply channels, streams with hardened sides and/or bottoms, and streams straightened for flood control. Commenters argued that modified non-constructed channels and constructed channels may exhibit lower habitat complexity and/or increased stressors to the biological community that can contribute to a lower CSCI score. Additionally, commenters stated that the San Diego Regional Water Board excluded hardened bottom streams from a proposed water quality objective arguing that it is inappropriate to apply the 0.79 CSCI for integrated report assessments. **Response:** **No changes to individual waterbody-pollutant combinations were made from the January 30, 2025 Draft 2026 Integrated Report in response to these comments. Water Board staff is committed to exploring changes to the assessment process for constructed channels and modified non-constructed channels or streams in future integrated reports, starting with the 2028 Integrated Report. This will include opportunities for additional public engagement. ~~Changes to the benthic community effects assessment process were made in response to these comments. Specifically, CSCI data from constructed channels will not be assessed for the California Integrated Report as information becomes available that demonstrates a waterbody segment is a constructed channel. However, no changes to individual waterbody-pollutant combinations were made from the January 30, 2025 Draft 2026 Integrated Report in response to these comments because information was not provided to demonstrate that assessments were conducted for constructed channels. Additionally, CSCI data were assessed and the 10th percentile reference threshold was applied in modified non-constructed channels or streams without any changes.~~** **~~Constructed channels in this context are anthropogenically excavated from uplands where no historic channel naturally existed.~~** "A Technical Foundation for Biointegrity and Eutrophication Indicators and Thresholds for Modified Channels, Intermittent Streams, and Streams on the Central Valley Floor" **~~clarifies constructed channels' defining features on pages 77-80. For example,~~ states that**

	constructed channels often lack an obvious connection to natural headwaters, often lack dendritic topology, and it is not possible to discern the direction of water flow from the channel network topology alone. **Therefore, it may be inappropriate to assess ~~C~~c**onstructed channels **~~should not be assessed~~** using the CSCI**~~. Constructed channels "lack traditional watersheds [and] have been excavated from uplands where no historic channels previously existed...B~~ b**ecause **"**the CSCI requires watershed delineations in order to establish appropriate biological expectations, the standard approach for calculating the CSCI does not apply" (Mazor et al. 2025a). **Information was not provided during development of the 2026 Integrated Report to demonstrate that assessments were conducted for constructed channels but staff will consider how to best use that data should it be submitted in a future listing cycle**.**~~ This contrasts with other modified non-constructed channels where water historically ran through a natural path integrated with a watershed, and then the channel was altered and/or hardened. Water never naturally collected in constructed channels before being engineered.~~** **~~Therefore, CSCI data from constructed channels will not be assessed in the California Integrated Report as information becomes available that demonstrates a waterbody segment is a constructed channel. Should a waterbody segment be a constructed channel, any CSCI data will be removed from the integrated report assessments, and any listing will be delisted.~~** **~~A modified non-constructed channel is a natural stream or river where channel morphology has undergone one or more deliberate modifications, such as hardening, straightening, or lining with resistant material.~~** Reference-based bioassessment indices accurately identify degraded biology in modified non-constructed channels. A 2025 SCCWRP technical report concluded that reference-based thresholds are well-suited for assessment applications for modified non-constructed channels (Mazor et al. 2025). Assessing CSCI data in modified non-constructed channels is consistent with the purpose of the 303(d) list, which is to identify waters that are not attaining water quality standards and not supporting beneficial uses. Furthermore, this approach provides an inventory of impaired waters to ensure transparent communication to the public on where biology is degraded, is consistent with the Listing Policy's factor for listing for degradation of biological populations (section 3.9) and supports the Listing Policy's requirement to assess all readily available data. Lack of data on the timeframe for benthic community restoration in fully hardened channels motivated the San Diego Regional Water Board to exclude streams with fully hardened streambeds from their proposed

	Biological Objective until future information supports a Basin Plan amendment to apply the proposed biological objective to streams with hardened streambed (R9-2020-0234, section 4.5.2 in Loflen et al. 2020). Although the proposed Biological Objective is not intended to apply to streams with fully hardened streambeds, the San Diego Water Board identified the CSCI as a direct assessment of whether the WARM and COLD beneficial uses are in attainment or impaired (R9-2020-0234), and that the CSCI would remain an important "monitoring and assessment tool in hardened streambed segments to evaluate beneficial uses" (section 4.5.2 in Loflen et al. 2020). The San Diego Water Board also declared their intent to continue to use bioassessment in the integrated report, regardless of the adoption of the stream biological objective (see Response 7 and 73 in San Diego Water Board October 2020 Response to Comments). Therefore, it is appropriate to assess CSCI data for modified non-constructed channels for the California Integrated Report, even in streams with fully hardened streambeds in the San Diego Region.
21.02; 21.03; 21.04; 21.05; 21.07; 21.08; 30.08	**F: Comment Category Subtopic:** The CSCI and application in intermittent and other non-perennial streams **Commenter(s):** City of Roseville, Lake Elsinore and Canyon Lake TMDL Task Force **Comment Summary:** Commenters expressed concerns about listing decisions for benthic community effects in intermittent streams based on the CSCI score of 0.79. Commenters highlighted a recent study from SCCWRP (Mazor et al. 2025a) that found the 0.79 CSCI score may not be appropriate for intermittent streams in xeric portions of northern California, and that seldomly flowing intermittent streams tend to have lower CSCI scores than other perennial or regularly flowing intermittent streams. Commenters argue that the CSCI scoring tool and reference values were developed specifically for perennial streams not for intermittent (i.e., non-perennial streams). A commenter also expressed concern that the frequency, duration, and timing of sampling could influence community composition of intermittent stream CSCI samples. Commenters reference specific waterbodies located in the Central Valley and the Santa Ana Regional Board boundaries. **Response:**

	Changes were not made in response to these comments. For the reasons described below, the CSCI and the 10th percentile reference threshold score of 0.79 were used to assess benthic community data for intermittent streams across the state**.** ~~**that naturally flow for at least one month in most years and cease flowing for at least one week in most years. This definition of an intermittent stream, which is used for purposes of the 2026 California Integrated Report, is the same as a "regularly flowing intermittent stream" from SCCWRP's report referenced by the commenters. This definition is also consistent with the definition found in the State Water Board SWAMP QAPP. A seldomly flowing intermittent stream, which is defined in SCCWRP's work as a stream that typically flows less than one month per year and may not flow at all in dry years, would not be considered an intermittent stream for the Integrated Report.**~~ Should information become available indicating that a stream is a seldomly flowing intermittent stream, it is expected that the benthic community data from the stream would not be assessed. Additionally, the CSCI and the 10th percentile reference threshold score of 0.79 were not used to assess benthic community data from ephemeral streams. ~~**Ephemeral streams flow after storm events and sit above the water table.**~~ Because ephemeral streams typically do not support aquatic life **or meet CSCI sampling protocol flow requirements**, these streams are not assessed using traditional bioassessment tools, such as the CSCI or the ASCI (Mazor et al., 2025**; Ode et al. 2025**). For southern California streams, data indicate the statewide 10th percentile reference condition (i.e., 0.79) accurately includes intermittent stream types (Loflen 2020; Mazor et al. 2014; Mazor et al. 2025a). Southern California is defined here as roughly Ventura County south to the U.S. Mexico border. For some northern California streams in xeric areas (within the Chaparral, Central Valley, and northern portion of the Desert/Modoc ecoregions), recent CSCI data analyses indicate that the 0.79 reference threshold may not reflect the observed 10th percentile reference condition. However, more data and review are needed before there is sufficient evidence to support the use of a different CSCI score as a reference condition for intermittent streams. For intermittent streams in the xeric parts of northern California, two recent SCCWRP technical reports and internal Water Board staff data analyses indicate that the 0.79 reference threshold misidentifies some healthy intermittent streams as degraded (Brown and Mazor 2025; Mazor et al. 2025a). However, the sample sizes are too small to confidently draw conclusions (there was only one intermittent site in the combined area of the North Coast and the Central Coast Regional Water Boards). The studies' authors noted that the 10th percentile reference condition for intermittent streams is likely to change as new data become available. Additionally, it is unknown whether several sites are

	perennial or intermittent, and the geographic boundaries of the arid ecoregions used in the SCCWRP technical reports need to be clarified. In recognition of the gaps in current northern California intermittent stream analyses, the 10th percentile reference threshold score of 0.79 was used for the 2026 Integrated Report for all northern California intermittent streams. Should a new reference threshold for northern California intermittent streams in xeric ecoregions be further developed and peer reviewed, CSCI data for those streams will be reassessed using the new reference thresholds in a subsequent integrated report. Please see the response to subcategory I for benthic community effects regarding the change made to the San Jacinto River Reach 1 benthic community effects decision (Decision ID 133722), which was revised from "List" to "Delist" due to the lack of an associated pollutant. The status of San Jacinto River Reach 1 as a regularly flowing or seldomly flowing river was not determined for the 2026 California Integrated Report.
19.04; 19.09; 22.04(a); 22.04(f); 37.02; 37.03	**G: Comment Category Subtopic:** The CSCI and Central Valley Floor Streams **Commenter(s):** Central Valley Clean Water Association, City of Stockton and County of San Joaquin, Larry Walker Associates **Comment Summary:** Commenters expressed concerns about listing decisions for benthic community effects in streams located on the Central Valley floor based on the CSCI score of 0.79 and requested that waters are placed in condition category 3. Commenters emphasized that reference condition varies greatly among natural stream types in general, and the CSCI score of 0.79 may not accurately reflect the conditions on Central Valley floor. Commenters highlighted that SCCWRP have recognized these challenges in a technical report and are researching alternative evaluation guidelines. Overall, the comments called for CSCI recalibration, use of alternative approaches like best observed thresholds, or the development of new biological indices that are appropriate for assessing the health of benthic communities on the Central Valley floor waterbody segments, rather than relying on the CSCI score of 0.79. Commenters also expressed concern over water quality attainability of the 0.79 CSCI score level on the Central Valley floor and noted that many Central Valleys streams are also modified and/or intermittent. **Response:**

	Changes have been made in response to this comment. Waterbodies located on the Central Valley floor that were listed as impaired and placed in Category 5 in the January 30, 2025 Draft 2026 303(d) List were revised and placed into Category 3, indicating that beneficial uses may be potentially threatened. Please reference Response to Comments Appendix A: Comprehensive List of Revised CalWQA Decisions for revised CalWQA Decisions associated with this comment. The Central Valley floor is defined here as the Central California Valley Ecoregional Level 3 boundary updated in 2010, released by USEPA in 2016, (https://dmap-prod-oms-edc.s3.us-east-1.amazonaws.com/ORD/Ecoregions/ca/ca_eco_l3.zip), and attributed to Griffith et al. 2016 (https://pubs.usgs.gov/publication/ofr20161021). The changes were made due to the uncertainty in whether statewide minimally disturbed reference conditions appropriately reflect minimally disturbed reference conditions in Central Valley floor streams. The commenters are correct that there is only one reference site located on the Central Valley floor. In response to continued concerns, State Water Board staff conducted an environmental contrast analysis to quantify the similarity between sample sites in each Californian ecoregion and the statewide reference sites. Staff analyzed the similarity based on the following 11 environmental setting factors: latitude, longitude, elevation, watershed area, elevation range, sample point precipitation, catchment precipitation, air temperature, bulk soil density, soil erodibility factor, and phosphorus-bearing geology. Staff found that CSCI scores in at least 75 percent of the analyzed sites on the Central Valley floor are not impacted by differences in the environmental setting factors and use of the statewide 0.79 reference threshold is likely appropriate. Staff also found more dissimilarity between the environmental setting factors of approximately 25 percent of analyzed sites in the Central Valley floor and statewide reference sites, indicating that these sites may differ enough from statewide reference conditions to warrant further consideration. Some evidence points to this dissimilarity being driven by the large watershed catchment sizes typical of Central Valley streams compared to other streams across the state. However, additional data and analysis are needed to determine whether it is appropriate to list a waterbody in the Central Valley floor as impaired based on the 0.79 statewide reference threshold. Once this analysis is complete, staff will reconsider the appropriate category for Central Valley floor sites with degraded biology and an associated pollutant. Please refer to Subtopic 1A: Benthic Community Effects Impairment Identification for more information on policy considerations, and to Subtopic 1B: Benthic Community Effects Impairment

	Categorization on the application and exceptions to the use of the 0.79 CSCI reference threshold and Category 5 placement.
27.02; 27.10(a); 27.10(d); 27.11; 27.15; 28.05; 28.06; 28.09; 30.06; 30.07; 30.10	**H: Comment Category Subtopic: Santa Ana Regional Board** Water Quality Objectives with Controllable Factors Language **Commenter(s):** Riverside County Flood Control & Water Conservation District, California Stormwater Quality Association, Lake Elsinore and Canyon Lake TMDL Task Force, Basin Monitoring Program Task Force **Comment Summary:** Several commenters expressed concerns over BCE assessments in the Santa Ana Region when the narrative water quality objectives states “Inland and surface water communities and populations, including vertebrate, invertebrate, and plant species, shall not be degraded as a result of the discharge of waste.” Specifically, commenters argued that narrative water quality objective was not applied appropriately and specific waterbody segments should be delisted because there is no evidence that degradation is the result of the discharge of waste. **Response:** Changes were not made in response to these comments. All waterbody segments in the Santa Ana Region that are listed for Benthic Community Effects impairment are also impaired due to at least one pollutant that is presumed to be the result of the discharge of waste. Peters Canyon Wash (Orange County), San Diego Creek Reach 1, San Diego Creek Reach 2, and Santa Ana River Reach 3 are impaired due to DDT, toxaphene, malathion, bifenthrin, and/or pyrethroids, which are human manufactured substances that are not naturally occurring in the environment. The Perris Valley Storm Drain is impaired by oil and grease, which is not likely to be naturally occurring in the watershed. Bonita Creek and Silverado Creek are also impaired by aquatic toxicity, which was based on toxicity in stormwater program samples and is presumed to be due in part to anthropogenic discharges. Given that these are the pollutants that are associated with the BCE impairments, it is appropriate to maintain the condition

	subcategory 5-bio placements until such time as it can be demonstrated that degraded benthic communities are not associated with pollutants that are the result of a waste discharge.
28.08; 30.01; 30.09	**I: Comment Category Subtopic:** Santa Ana River Reach 2 & San Jacinto River Reach 1 **Commenter(s):** Basin Monitoring Program Task Force, Lake Elsinore and Canyon Lake TMDL Task Force **Comment Summary:** Commenters requested that the assessment methodology for Santa Ana Reach 2 and San Jacinto River Reach 1 be reviewed. The comments questioned the special representation of the assessments and that there is no pollutant associated with CSCI samples under 0.79. **Response:** The decisions related to these waterbody segments were reevaluated for accuracy and several changes were made as described below. For Santa Ana River Reach 2 (Decision ID 153753) the commenters are correct that CSCI samples were collected from Collins Channel (Decision ID 172192) and not Santa Ana River Reach 2. The waterbody segment for Collins Channel was remapped and the five applicable LOEs were assessed. The decision for Collins Channel remains “Do Not List” because there is not an associated pollutant. The two CSCI samples for Santa Ana Reach 2 are below the 0.79 CSCI threshold. However, the commenter is correct that there is no associated pollutant for Santa Ana River Reach 2. Therefore, the decision was revised from “List” to “Delist.” For San Jacinto River Reach 1 (Decision ID 133722), the associated pollutant is aluminum. Total aluminum data were collected after a major storm event. In accordance with Listing Policy section 6.1.5.3, the total aluminum data should not be used as a primary LOE. Other data submitted are insufficient to determine if the applicable beneficial use support rating. Therefore, San Jacinto River Reach 1 is not

	impaired for aluminum, and as there is no other pollutant associated with the degraded biology, the benthic community effects decision was revised from “List” to “Delist.” Changes to decisions can be found in Appendix A: Comprehensive List of Revised CalWQA Decisions for final CalWQA Decisions associated with this comment.

Comment Category 2: Ocean Acidification

Comment Number(s)	Comment Category 2: Ocean Acidification
38.01	**A: Comment Category Subtopic:** Developing Quality Assurance Guidelines for Ocean Acidification **Commenter(s):** California Association of Sanitation Agencies **Comment Summary:** The commenter emphasized the importance of defensible science when evaluating emerging issues like OA. They referenced USEPA’s requirement for quality assurance plans to ensure scientific findings can withstand legal scrutiny. **Response:** A QAPP (or QAPP equivalent) is necessary to support a decision in most cases. In accordance with section 6.1.4 of the Listing Policy, all data and information must be considered, but only data of sufficient quality may be used to determine water quality standards attainment. Data supported by a Quality Assurance Project Plan pursuant to 40 CFR 31.45 are acceptable for use in developing the 303(d) list. At this time, the ROMS-BEC model does not have an approved QAPP, which is one reason why listing recommendations are not being made based on model results for the 2026 California Integrated Report. The State Water Board is actively engaging with SCCWRP and other interested parties on the development of a QAPP for the ROMS-BEC model. The QAPP for the ROMS-BEC model is expected to follow the USEPA’s Guidance for Quality Assurance Project Pans for Modeling (https://www.epa.gov/sites/default/files/2015-06/documents/g5m-final.pdf).

38.02	**B: Comment Category Subtopic:** Condition Category Recommendations **Commenter(s):** California Association of Sanitation Agencies **Comment Summary:** The commenter noted that the driving force behind OA is carbon dioxide and greenhouse gas emissions. The commenter suggested that listing under Category 4C or developing a new waterbody condition category 5C for the California Integrated Report, similar to what Oregon did in their Draft 2024 Integrated Report, may be more appropriate. **Response:** In the 2026 California Integrated Report, OA data were assessed using the situation-specific weight of evidence listing factor in section 3.11 of the Listing Policy to determine support of the Marine Habitat beneficial use. Ultimately, the requisite conditions under section 3.11 of the Listing Policy could not all be satisfied to support any “List” Decisions. As a result of this data assessment, two waterbody segments were placed in Category 2, Pacific Ocean Cape Mendocino HU and Pacific Ocean Smith River HU, due to an insufficient number of samples to make an assessment. No waterbody segments were placed in Category 5 at this time. For ODEQ’s Draft 2024 Integrated Report, waterbodies determined to be impaired due to OA and hypoxia were placed in Category 5C, a sub-category of Category 5 related to climate change impairments. ODEQ submitted its Draft 2024 Integrated Report to the USEPA on March 12, 2025. The report is now considered “state final" and is awaiting USEPA approval. Until approved, it is uncertain if the USEPA will support the Category 5C proposal. For the California Integrated Report, beneficial use support ratings are used to inform recommendations for determining a waterbody’s condition category placement in the integrated report. If ocean waterbodies are determined to be impaired due to OA in a future California Integrated Report, condition categories will be assigned as appropriate. As the assessment of OA in the California Integrated Report is a new and evolving process, it is premature to conclude if a waterbody impaired due to OA would be placed in Category 4C or whether a new Category 5C would be created and used.

38.03, 38.04	**C: Comment Category Subtopic:** Nitrogen Outputs and Wastewater Discharger Impacts in the Southern California Bight **Commenter(s):** California Association of Sanitation Agencies **Comment Summary:** The commenter asserts that if California does not use a Category 4C or 5C approach, it would imply that nitrogen, specifically from wastewater discharges, is the primary cause of OA impairments. In Southern California, wastewater agencies contribute only 6% of total nitrogen to the Bight, with the remaining 92% coming from natural ocean upwelling. The commenter cited a 2014 Southern California Coastal Water Research Project publication as the source. Additionally, the commenter notes issues with correlating wastewater discharges to impacts observed tens of miles away from ocean outfalls and raises concerns about the limited empirical data available for sustained exposure conditions needed to validate the threshold. **Response:** As stated in response to Comment 2.B, no waterbody segments were identified as impaired due to OA in the 2026 California Integrated Report, and it is premature to conclude the condition category that would be used should a waterbody be impaired due to OA. However, placement in Category 4A, 4B, or 5 does not by itself not imply that any particular source is the cause of an impairment. Potential pollutant sources are only identified in decisions when a specific source analysis is performed as part of a TMDL or other process. Otherwise, the potential pollutant source is recorded as “Source Unknown” or “No Source Analysis Available.” State Water Board staff is engaged with continued research and analysis around nutrient outputs in the Southern California Bight and the location, timing, and causes of OA. Staff is planning for an amendment to the Water Quality Control Plan for Ocean Waters of California, or California Ocean Plan. The goal of the amendment is to establish water quality objectives and a program of implementation to protect marine organisms and habitat from OA and hypoxia by addressing human sources of nutrients in waste discharges, such as those from wastewater treatment plants. Further research studies, including a linkage analyses from SCCWRP and a nutrient analysis by HDR, Inc., an environmental consulting group, will help shape the understanding of the waste discharge process and the development of an OA amendment. Staff is aware of the 6 percent wastewater source value, cited in Howard et al. 2014 (https://aslopubs.onlinelibrary.wiley.com/doi/epdf/10.4319/lo.2014.59.1.0285), which

	is derived from a spatial scale that extends hundreds of kilometers offshore. The same research also found that in the first 20 kilometers from the shore, anthropogenic total nitrogen, particularly from wastewater effluent discharged through ocean outfalls, was equal to or greater than natural nitrogen sources in all areas of the Bight except near San Diego. Staff is also aware of other publications and source analyses, including research by Kessouri et al. 2021 (https://www.pnas.org/doi/full/10.1073/pnas.2018856118) that anthropogenically enhanced nitrogen inputs from land-based sources have resulted in increases to eutrophication in the Southern California Bight, an exacerbation of global acidification, and furthered oxygen loss over time. Further, Sutula et al. 2021 (https://www.sciencedirect.com/science/article/pii/S0025326X21007037?via%3Dihub) found that publicly owned treatment works account for 92% of total nitrogen loads to the Southern California Bight from land-based sources of nutrients in the nearshore zone (2.5 to 8km offshore).
38.05	**D. Comment Category Subtopic:** ROMS-BEC Model Sensitivity and Light Attenuation **Commenter(s):** California Association of Sanitation Agencies **Comment Summary:** The commenter noted that the California Integrated Report includes ocean water quality data down to 200 meters, which raises concerns about how depth is addressed in the ROMS-BEC model. An independent expert review of the model recommended a sensitivity analysis, particularly regarding how the model handles light. The model treats light intensity at the surface as equal to that at 200 meters, which could bias predictions related to oxygen, carbon, nitrogen, and algal production **Response:** An Independent Peer Review Panel ("IPRP") (https://www.nwri-usa.org/socal-coastal-model-review) for the ROMS-BEC model was established in 2023 to evaluate the validity and uncertainty of the model associated with addressing management questions. The final report from this panel was published in October 2024. Based on the recommendations for potential improvements to the ROMS-BEC model in the final report from the IPRP, a Steering Committee from SCCWRP Commission's Technical Advisory Group developed a list of priorities for SCCRWP to undertake to improve confidence in the model. Several of these priorities include conducting a sensitivity analysis on light attenuation and phytoplankton grazing rates. Recognizing that uncertainty remains, in particular regarding depth-related measurements, the State Water Board did not recommend any listings based on ROMS-BEC model outputs for the 2026 California Integrated

	Report. The State Water Board will continue to engage with SCCWRP and will consider the results of these ongoing improvements in future integrated report cycles.
38.06	**E. Comment Category Subtopic:** Concern Regarding ROMS-BEC Model Review Process **Commenter(s):** California Association of Sanitation Agencies **Comment Summary:** The commenter addressed claims from a separate meeting that the model review process was industry-funded, clarifying that this is inaccurate. The modeling team itself requested the review, which was funded by member agencies in collaboration with the Ocean Protection Council, Regional Water Boards, and State Water Board. A meeting is scheduled in the coming weeks to prioritize and incorporate the experts' recommendations. The commenter urged the State Water Board to consider the full context of the review process and expressed appreciation for ongoing collaboration. **Response:** The commenter's participation on the ongoing collaboration about the use of the ROMS-BEC model is also appreciated.

Comment Category 3: Understanding the Nexus Between the 303(d) List and Permits

Comment Number(s)	**Comment Category 3: Understanding the Nexus Between the 303(d) List and Permits**
19.03, 22.02, 27.04, 29.02	**A: Comment Category Subtopic:** Understanding the Nexus Between the 303(d) List and Permits **Commenters:** Central Valley Clean Water Association; Riverside County Flood Control and Water Conservation District; City of Stockton and County of San Joaquin; California Stormwater Quality Association **Comment Summary:**

	The commenters asserted that 303(d) listings have significant consequences for municipalities and MS4 operators, including costly monitoring, new treatment requirements, and resource reallocation. Commenters are concerned that there are existing permit requirements that automatically trigger new permittee obligations upon a new 303(d) listing of a waterbody-pollutant combination ("automatic trigger"). Commenters are also concerned about how existing 303(d) listings are being used to develop permit requirements for permits that are issued after a waterbody segment has been listed. The commenters expressed concern over accuracy of assessments and that the 303(d) listing process operates under a presumption that waterbody segments should be listed as impaired based on the minimum data required by the Listing Policy. They stated that this approach has resulted in listings that carry substantial regulatory and financial impacts for the regulated community. The commenters stressed that because delisting requires a much higher evidentiary threshold, it is critical that all listings are accurate and based on sound science. They also stated that the 303(d) delisting process operates under the presumption that waterbody segments shall only be removed from the 303(d) list in the case of faulty data, revision of water quality standards, more samples showing non-exceedances under a statistical evaluation, or that the weight of evidence shows attainment. **Response:** Comments and examples of impacts to the regulated community when there is a new 303(d) listing to a receiving waterbody segment are appreciated. Additional research of permit examples and discussions with State and Regional Water Board permitting programs were conducted to better understand the nexus between the 303(d) list and permits. **Research finds** ~~**T**~~ the 303(d) list, and the data and information used to support the list, is used in many ways in Water Board regulatory programs, and its use varies across programs and regions. The 303(d) list is used to automatically trigger certain types of new permittee obligations in existing permits and to inform the development of new permits and justify new permit requirements. Other factors, such as the results of source analyses, targeted monitoring efforts, permit application materials, and other supplemental information are taken into consideration and used to inform decision-making and permit requirements, including project disapprovals, pollutant control or treatment actions, or compensatory mitigation.

	In some cases, the 303(d) list is used to automatically trigger new permittee obligations in existing permits, including: ○ To require the identification of receiving waters on the 303(d) list. ○ To require monitoring and reporting for the listed pollutant(s). ○ To help inform assessment of receiving water conditions. ○ To require sources of the listed pollutant(s) to be identified. ○ To require the identification of construction sites or industrial/commercial facilities where the facility generates pollutants for which the waterbody segment is impaired. ○ To help determine the receiving water risk for sediment-sensitive watersheds, which, along with other information, is used to determine which best management practices are required. ○ To help determine eligibility for enrollment under a general permit. ○ In developing a numeric goal for a municipal stormwater permit's optional water quality improvement plan. ○ To increase the inspection frequency for construction sites. ○ To prioritize investigations of Illicit discharges and connections. ○ To help evaluate program effectiveness. **Research finds that** ~~**A**~~ **a** Water Board, as the permitting authority, ~~**may**~~ also use**s** the existing 303(d) list in many of the above ways when developing a new permit. The 303(d) list is also used in the development of new permits as follows: ○ To help inform whether the discharge has reasonable potential to cause or contribute to an exceedance of a water quality standard, which, along with other information, is used to determine if a receiving water limitation or effluent limitation is required. ○ As partial justification, along with other information, for requiring best management practices or pollutant controls. ○ As information explaining why a TMDL or Integrated Report Category 4b Demonstration was developed. ○ To help evaluate program effectiveness. See the Staff Report section 1.2 Using the 303(d) List to Address Water Quality Impairments for more information on Water Board discretion on how to use the fact of a listing when determining reasonable

	potential and establishing effluent limitations, and other ways the 303(d) list may be used to address water quality impairments. Regarding stormwater, permittees look at a number of different data sources when developing or reviewing stormwater management plans, including an existing TMDL, the 303(d) list, or other coordinated monitoring programs (e.g., Southern California Bight Regional Monitoring). For example, some permits require permittees to identify pollutants of concern in order to appropriately consider monitoring and reporting requirements during the development or review of a stormwater management plan. The 303(d) list is one resource used to identify pollutants of concern. Other pollutants associated with the discharge or land use, pollutants with potential to cause a condition of pollution or nuisance due to the discharge, or other information may be used to identify pollutants of concern. The monitoring results inform source identification and whether the discharge has the potential to cause or contribute to an exceedance of a water quality standard, which can inform stormwater management plans. The State Water Board recognizes that how the 303(d) list is used is at the discretion of the Water Board permitting authority, which should consider all data and information to ensure that limited resources available to implement permit requirements are based on the most accurate and current data, information, and waterbody conditions. For example, the Phase II Small MS4 General Permit states that, "All Permittees that discharge to waterbodies listed as impaired on the 303(d) list where urban runoff is listed as the source, shall consult with the Regional Water Board within one year of the effective date of the permit to assess whether monitoring is necessary and if so, determine the monitoring study design and a monitoring implementation schedule." The Listing Policy outlines the requirements with which the Water Boards must comply to develop the 303(d) list. Decisions to place a waterbody segment on the 303(d) list or to remove a waterbody segment from the 303(d) list are made in conformance with the Listing Policy, not a presumption. Section 3 of the Listing Policy consists of "listing factors" 3.1 through 3.11 used to determine whether waters "shall" be added to the 303(d) list. Listing a waterbody-pollutant combination is required if adequate data exist to show that any of the conditions are met (e.g., numeric data exceed water quality objectives for toxic or conventional pollutants based on a binomial distribution, tissue pollutant levels in organisms exceed a pollutant-specific evaluation guideline). Section 4 of the Listing Policy consists of "delisting factors" 4.1 through 4.11 used to evaluate whether waters "shall" be removed from the 303(d) list. Delisting, or removing, a waterbody-pollutant combination

	from the existing 303(d) list is required if adequate data exist to show that any of the conditions are met (e.g., numeric data do not exceed water quality objectives for toxic or conventional pollutants based on a binomial distribution, tissue pollutant levels in organisms do not exceed a pollutant-specific evaluation guideline). The commenter is correct that waterbody segment may be delisted by re-evaluating older listings or applying new numeric water quality objectives or evaluation guidelines. The Water Board is required to apply new water quality objectives adopted by the Water Board and approved by USEPA. Additionally, the Water Board may apply new evaluation guidelines to ensure that assessments are consistent with science. Evaluation guidelines are evaluated and selected per Listing Policy section 6.1.3. The 303(d) list is a living document and as tools and assessment methodologies evolve, so does the 303(d) list to reflect current conditions. See Staff Report section 2.3.3 CalWQA Decisions for more information on listing and delisting factors and the statistical binomial distribution, “binomial test,” used for several listing and delisting factors. The integrated report program is committed to continuous improvements. For example, the implementation of Listing Policy section 6.1.4 shifted since the 2024 California Integrated Report. All data submitted by a monitoring program not explicitly listed in Listing Policy section 6.1.4 must now be supported by a QAPP for that data by itself to support a decision for a waterbody segment. This shift furthers ongoing efforts to continuously improve the data quality of the integrated report. (See Staff Report section 4.4 Interpretation of Listing Policy Section 6.1.4 for QAPP Requirements for more information.) Please also review Comment Category 4A: Quantitative Analyses and Methodologies for other efforts to improve transparency of data and processes for the California Integrated Report. Additionally, the integrated report program and permitting programs are working together to improve coordination between the programs. Both programs are also working to improve the use of permit-required monitoring data in the integrated report and to make it easier for permit writers and permittees to use the integrated report and find waterbody-specific information.

Comment Category 4: Data and Process Transparency

Comment Number(s)	**Comment Category 4: Data and Process Transparency**

19.02; 22.13; 22.14; 29.22; 29.23; 29.24	**A: Comment Category Subtopic: Quantitative Analyses and Methodologies** **Commenters:** Central Valley Clean Water Association, City of Stockton and County of San Joaquin, California Stormwater Quality Association **Comment Summary:** Commenters expressed concern that the Draft 2026 Integrated Report contains unresolved issues from past cycles, including reliance on non-regulatory water quality objectives, outdated criteria, and decades-old data, as well as concerns with remapping waterbody segments of the Sacramento-San Joaquin Delta. Commenters stated that Waterbody Fact Sheets are difficult to review, lack the specific data, calculations, and methods required by Listing Policy Section 6.1.2.2, and only provide qualitative descriptions that make it difficult to replicate assessments. Commenters emphasized the need for full transparency, noting that similar concerns were raised in the 2020–2022 and 2024 California Integrated Reports, and requested that the 2026 California Report provide the actual data and calculations used to make decisions. **Response:** The commenter is correct that similar comments have been made in previous integrated report public comment periods. The integrated report program recognizes the importance of improving clarity when presenting the California Integrated Report for public review. Several process improvements and data review tools have been made to increase the ability of the public to find and understand which data are used, how data are assessed, and the results of the assessments. More improvements are needed and are underway. Waterbody Fact Sheets remain a key tool for understanding individual waterbody-pollutant assessments. Waterbody Fact Sheets are prepared in accordance with section 6.1.2.2 of the Listing Policy which states that “when data and information are available, the Regional Water Board shall prepare a standardized fact sheet for each water and pollutant combination proposed for inclusion in or deletion from the section 303(d) list.” The data used in assessments are provided in the LOEs, which are linked in the Statewide Waterbody Fact Sheets (Appendix B of the Draft 2026 California Integrated Report) (https://www.waterboards.ca.gov/water_issues/programs/tmdl/2025_2026state_ir_reports/apx-b-factsheets/table_of_contents.shtml). In the HTML version of the Waterbody Fact Sheets, each LOE

	includes links to the data reference files containing the raw data, along with the number of samples and exceedances, the applicable water quality objective, pollutant, matrix, fraction, and beneficial use. LOEs also include details on data spatial representation, data temporal representation, environmental conditions, and quality assurance information. The Excel version of the Waterbody Fact Sheets (Appendix B1) was first made publicly available for the 2018 Integrated Report to simplify queries and sorting. However, the Excel version does not contain the links to the data reference files. Commenters seeking direct access to the specific data used in the assessments should use the HTML Fact Sheets. Both versions include the LOEs and decisions for each waterbody-pollutant combination, as required by section 6.1.2.2 of the Listing Policy. Numeric water quality objectives and criteria, which were established via a rulemaking process, are used when available. Numeric evaluation guidelines do not need to be established via a rulemaking process. To be used, the evaluation guideline must meet the requirements outlined in section 6.1.3 of the Listing Policy. Section 6.1.3 of the Listing Policy states that “narrative water quality objectives shall be evaluated using evaluation guidelines” and provides guidance for selection of numeric evaluation guidelines. The requirements specify that the evaluation guidelines must be applicable and protective of the beneficial use, linked to the pollutant under consideration, scientifically-based and peer reviewed, well described, and identify a range above which impacts occur and below which no or few impacts are predicted. As part of continued data transparency improvement efforts, the Draft 2026 California Integrated Report Staff Report included two new appendices. The new appendices are: • Appendix N: 2026 California Integrated Report Data Evaluated, which contains a table of parent projects with data evaluated during the 2026 California Integrated Report. This table identifies the parent project names and associated information, indicates whether the data were assessed, and provides a brief explanation of the determination. • Appendix O: 2026 California Integrated Report Water Quality Objectives, Criteria, and Evaluation Guidelines, which identifies statewide and region-wide water quality criteria, objectives, and evaluation guidelines used for assessments of chemical concentrations in water, sediment, and tissue for the 2026 California Integrated Report. For more information on how data were compared to these objectives on a waterbody-pollutant basis, please refer to the corresponding Waterbody Fact Sheets in Appendix B or Appendix B1 of the Draft Staff Report.

	These appendices were first released prior to the release of the Draft 2026 California Integrated Report, and staff plans to distribute them earlier in future cycles to improve transparency and efficiency. The "Data Evaluated" table has already been released for the 2028 California Integrated Report. During the distribution of the Draft 2026 California Integrated Report, a mapping visualization tool was also provided to display the contents of the Draft 2026 California Integrated Report. The mapping visualization tool can be found on the webpage for the 2026 California Integrated Report: (https://gispublic.waterboards.ca.gov/portal/apps/webappviewer/index.html?id=cf5e137099334cbdac9e08a567b36e40) as well as in Staff Report Appendix D: Map and Visualization Tool for the 2026 California Integrated Report. The integrated report program also recognizes the value of providing detailed information when communicating quantitative analyses and assessment methodologies used during the compilation of the California Integrated Report to ensure replicable data analysis. Section 3 of the Staff Report, Pollutant Assessment Methods, provides narrative descriptions for assessment methodologies for pollutant types that are particularly complex, have new or changed methodologies, or are particularly significant. Region-specific assessment methodologies or assessments using site-specific objectives are described in sections 5 - 9 of the Staff Report. The commenters are encouraged to contact State Water Board staff to request additional information on how assessments are conducted by sending an email to: WQAssessment@waterboards.ca.gov.
19.10; 19.12; 19.13; 19.19; 24.02; 24.03; 24.04	**B: Comment Category Subtopic: Assessments of Older Data** **Commenter(s):** Central Valley Clean Water Association, Sacramento Stormwater Quality Partnership **Comment Summary:** The commenters expressed concern about including older data viewed as nonrepresentative in listing recommendations. The commenters objected to proposed Central Valley listings that rely on decades-old data. Specific decisions were provided such as Decision ID 156975 (San Joaquin River, arsenic) and Decision ID 165333 (Sacramento River, PAHs), which were based on LOEs using older data to make a "List" decision. The commenters argued that the Draft Integrated Report does not address Listing Policy Section 6.1.5.3, and fails to consider major changes in Delta flow operations under federal and state biological opinions and significant upgrades by POTW dischargers to advanced

	treatment and filtration over the last 20 years. The commenters requested that the proposed listings be removed due to reliance on outdated and unrepresentative data. **Response:** First, as context, the decisions referenced by the commenter are not new listings, but rather decisions associated with waterbody segments that were newly re-mapped during the development of the 2026 California Integrated Report, based on the work done during the Sacramento-San Joaquin Delta remapping project. More information about the Sacramento-San Joaquin Delta remapping project can be found in section 6.1 in the Draft 2026 California Integrated Report Staff Report and in Comment Category 6: Central Valley Regional Water Board Assessments. Specifically, Comment Subcategory 7R regarding Decision ID 165333 and Comment Subcategory 7T regarding Decision ID 156975. Second, older data were included in accordance with Listing Policy section 6.1, which states that all readily available data must be evaluated to assess attainment of standards in developing the section 303(d) list. However, Listing Policy section 6.1.5.3 provides that, if the implementation of a management practice(s) has resulted in a change in a waterbody segment, then only data collected since the change should be considered. Although commenters highlighted recent changes to Sacramento-San Joaquin Delta flow operations and POTW upgrades, additional information is needed to determine whether these management practices resulted in a change in the waterbody segment. Specifically, information is needed to identify the affected waterbody segments and pollutants, as well as the timing of the changes. Further detail describing the management actions themselves would also be helpful. The commenter is encouraged to reach out to Water Board staff to discuss these data and information needs. Should future data or additional information become readily available for these waterbody segments, which could include information about a change in management practice(s), those data and/or information will be included in the assessments for these waterbody segments in a future integrated report. In addition, Section 4 of the Listing Policy provides that listings shall be removed if they were based on “faulty data,” which can include typographical errors, inadequate QA/QC procedures, or limitations related to analytical methods that would lead to improper conclusions about water quality in a waterbody segment. In such circumstances, older data may appropriately be excluded consistent with Section 4. Furthermore, the Functional Equivalent Document for the Water Quality Control Policy for Developing California’s Clean Water Act Section 303(d) List (Sept. 2004) (“FED”) explains the rationale for including

	older data in water quality assessments (pp. 240–241). The FED identifies as the preferred alternative is to use all readily available data and information, regardless of age, in order to ensure a complete record is considered. At the same time, the FED acknowledges that older data may not always reflect current water quality conditions, may be based on less precise laboratory methods, or could bias decision-making if used without appropriate context. The FED specifies that Regional Water Boards must use their judgment to evaluate the reliability and quality of older data, consistent with the Listing Policy's data quality and quantity requirements. Ultimately, the FED concludes that all data and information should be used in making decisions, and that if older data are the only information available, they should still be used. There are several advantages to using older data in the California Integrated Report, including: • Older data may provide context for newer data, such as characterizing trends or checking for compliance with antidegradation provisions. • Older data may be useful in reevaluating previous listing recommendations if guidelines or numeric objectives are revised. There are some instances where older data were not used to determine impairment. For example, data and information used prior to 2010 to inform bacteria impairment for waterbodies with the REC-1 beneficial use were retired and not used if newer data were available for assessment. Historical levels of indicator bacteria in the waterbody may be a poor indicator of current risks to human health, particularly when more recent data are available to sufficiently assess the water quality standard. See Staff Report section 3.10: Bacteria and REC-1 Beneficial Use, for more information.

Comment Category 5: Waters of the United States

Comment Number(s)	**Comment Category 5: Waters of the United States**
29.13; 29.14; 29.15; 29.16; 29.17;	**A: Comment Category Subtopic:** Waters of the United States **Commenter:** California Stormwater Quality Association

29.18;
29.19;
29.20;
29.21
	Comment Summary: The commenter states that the California Integrated Report has inappropriately included waterbody segments on the CWA 303(d) list that are discharge locations or drains that are not a WOTUS. The commenter has made similar comments on past integrated reports and the State Water Board responded that they do not make jurisdictional determinations as part of the 303(d) process. The Corps or the USEPA will determine the WOTUS status of a waterbody segment.
	
	The commenter disagrees with the State Water Board's past responses for three reasons.
	
	1. The State Water Board is making an affirmative finding that the waterbody segment is (at least presumptively) a WOTUS.
	2. The Army Corps of Engineers makes jurisdictional determinations for the CWA's 404 program. Water quality standards and NPDES provisions of the CWA are administered by the USEPA, which then can be delegated to the states. The State Water Boards should not defer WOTUS determinations to the Corps but should on their own accord determine what waterbody segments should be considered a WOTUS.
	3. The commenter is concerned that the State Water Board considers a waterbody to be a WOTUS if data exists in CEDEN. The commenter states the State Water Board has the responsibility for making a good faith effort to include only waterbody segments that are a WOTUS on the 303(d) list.
	
	The commenter requests that the State Water Board proactively confirm the jurisdiction of waterbody segments that are identified through the public comment process as part of the storm drain or agricultural drain system before finalizing the 303(d) list. If a waterbody segment cannot definitively be determined to be a WOTUS, then it should not be included in the California Integrated Report. The commenter provides examples of the following waterbody segments they argue are agricultural drains and are not WOTUS:
	• La Vista Drain (Ventura County)
	  ○ aluminum (Decision ID 153930)
	  ○ fenpropathrin (Decision ID 152765)
	• Santa Clara Drain (Ventura County)
	
	The commenter provides examples of the following waterbody segments they argue are man-made flood channels constructed as part of a MS4 used to convey residential drainage and are not WOTUS:

	• Bolsa Chica Channel (Orange County)
	  ○ indicator bacteria (Decision ID 149132)
	  ○ ammonia (Decision ID 73788)
	  ○ pH (Decision ID 77494)
	• East Garden Grove Wintersburg Channel (Orange County)
	  ○ ammonia (Decision ID 76724)
	• Unnamed Tributary to Alder Creek (Sacramento County)
	  ○ Bifenthrin (Decision ID 120667)
	  ○ Fipronil (Decision ID 120663)
	  ○ Fipronil Sulfone (Decision ID 120675)
	  ○ Imidacloprid (Decision ID 120665)
	  ○ Pyrethroids (Decision ID 120662)
	
	These waterbody segments and associated decisions were provided by the commenter in a previous cycle.
	
	Response:
	
	Data from waterbody segments that may meet the definition of WOTUS, or where the WOTUS status is questionable, will be fully assessed, unless there is a jurisdictional determination by USEPA or the Army Corps of Engineers. If it is determined later that a waterbody is not classified as a WOTUS, the data from that waterbody will not be used to make listing recommendations in subsequent Integrated Report cycles. Listing of a waterbody segment on the integrated report is not a WOTUS jurisdictional determination for any other purpose.
	
	Similar comments made by the commenter about the same waterbody segments during the public comment periods for previous integrated reports are acknowledged. The waterbody segments and associated decisions provided by the commenter were reviewed again. No new data or information was provided by the commenter and the previous statements made by the State Water Board in response to the comments during past integrated reports remain unchanged and continue to apply. Furthermore, data from MS4 features, such as pipes, gutters, and outfalls (e.g., storm drain) are considered effluent data and are not assessed for the integrated report.

	An MS4 is defined in the federal regulations as a conveyance or system of conveyances (including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, man-made channels, or storm drains), owned or operated by a permittee, and designed or used for collecting or conveying runoff. Natural drainages and urban streams are frequently modified and used by municipalities to collect and convey runoff away from development within their jurisdiction. The Water Boards consider many altered natural drainages that are used to convey runoff to be both part of the MS4 and as receiving waters. (See, e.g., Natural Resources Defense Council, Inc. v. County of Los Angeles (9th Cir. 2013) 725 F.3d 1194, 1200, fn. 12.) Please see responses to comments 006.02, 006.03, 006.04, 006.05, 006.06, 006.07, 007.21, 007.74 and 17.30 from the Final Summary of Comments for the 2024 California Integrated Report (https://www.waterboards.ca.gov/water_issues/programs/tmdl/2023_2024state_ir_reports/2024-ir-final-proposed-summary-responses-comments.pdf) For more information about the following waterbody segments: • La Vista Drain (Ventura County) • Santa Clara Drain (Ventura County) • Bolsa Chica Channel (Orange County) • East Garden Grove Wintersburg Channels (Orange County) Please see response to comments 006.03 from the Final Summary of Comments for the 2020-2022 California Integrated Report (https://www.waterboards.ca.gov/water_issues/programs/tmdl/2020_2022state_ir_reports_revised_final/2020-2022-ir-final-revised-summary-of-responses-and-comments.pdf) for more information about the following waterbody segment: • Unnamed Tributary to Alder Creek (Sacramento County) The Central Valley Regional Water Board confirmed that the Unnamed Tributary to Alder Creek (Sacramento County) is part of the City of Folsom's MS4 system. The City of Folsom does not consider this waterbody segment to be a stormwater "structure" since it is an unlined open channel. Additionally, the waterbody segment Unnamed Tributary to Alder Creek is a tributary to Alder Creek, which is a WOTUS. Therefore, the waterbody segment Unnamed Tributary to Alder Creek is highly likely to be a WOTUS due to the tributary rule under 40 CFR § 120.2(a)(3).

Comment Category 6: North Coast Regional Water Board Assessments

Comment Number(s)	Comment Category 6: North Coast Regional Water Board Assessments
1.01; 2.01; 3.01; 5.01; 6.01; 06.02; 06.06; 06.07; 06.10; 06.11; 07.01; 08.01; 09.01; 09.02; 10.02; 11.01; 14.01; 33.01	**A: Comment Category Subtopic: Reconsider Humboldt County Indicator Bacteria Delistings** **Commenter(s):** Alex Stillman, Autumn Feral, Daniel Chandler, Greg Wellish, Humboldt Waterkeeper, Jim Froland, Julie Meyers, Lee Dedini, Nancy Ihara, Sandy Bar Ranch, Virginia Howard Mullan, Dennis Tuite **Comment Summary:** The commenters stated that only the most recent 10 years of indicator bacteria data were used and requested that data that precedes the most recent 10 years of data be assessed for (1) Little River in Trinidad HU, Little River HA, (2) Widow White Creek in Mad River HU, Norton Creek, (3) Campbell Creek in Eureka Plain HU, Gannon Slough, and (4) lower Elk River and Martin Slough in Eureka Plain HU, Elk River Watershed, Lower Elk River and Martin Slough. Further, several commenters mentioned recreating at Moonstone Regional Park, Clam Beach, and Old Home Beach. **Response:** As a standard practice for the 2026 California Integrated Report, historical indicator bacteria data collected prior to 2012 were not used to assess water quality standards attainment so long as more recent data were available sufficient to evaluate beneficial use attainment. This is because indicator bacteria populations may fluctuate substantially on a daily, seasonal, or yearly basis. Lacking constant inputs, bacteria do not persist in the environment for a long period, and effects are of relatively short duration. A study by KP Flint found that bacteria can survive in autoclaved river water for up to 260 days and fewer days for untreated river water. *Escherichia coli ("E. coli")* are not expected to persist in a waterbody without continual inputs of bacteria[1]. As a result, the historical levels of indicator bacteria in the waterbody may be a poor indicator of current risks to human health, particularly when more recent data are available to sufficiently assess the water quality standard. Additionally, water quality conditions may have changed as a result of management actions implemented to address bacteria sources, land use changes, hydrology changes, or other factors. Unrepresentative data may result in incorrectly placing or

[1] Flint KP. The long-term survival of Escherichia coli in river water. J Appl Bacteriol. 1987 Sep;63(3):261-70. doi: 10.1111/j.1365-2672.1987.tb04945.x. PMID: 3323155.

	not placing a waterbody segment on the 303(d) list. This could result in the unnecessary expenditure of public resources or missing a problem completely. Due to the comments received, staff confirmed that older bacteria data were inadvertently excluded and there were not sufficient newer data to make beneficial use determination. Therefore, for the first four waterbody segments in the comment summary, data collected prior to 2012 were assessed. The following summarizes the outcome of the waterbody reassessments: • Widow White Creek in the Mad River HU, Norton Creek waterbody (Decision ID163850) was revised from "Delist" to "Do Not Delist." • Campbell Creek in the Eureka Plain HU, Gannon Slough waterbody (Decision ID 161527) was revised from "Delist" to "Do Not Delist." • Martin Slough and lower Elk River in the Eureka Plain HU, Elk River Watershed, Lower Elk River and Martin Slough waterbody (Decision ID 161524) was revised from "Delist" to "Do Not Delist." • Trinidad HU, Little River HA (Decision ID 163583) was reevaluated but not revised, and remains "Delist" due to insufficient data to make a REC-1 beneficial use support determination. • Eureka Plain HU, Elk River Watershed, Upper Elk River waterbody (Decision ID 161525) was revised from "Do Not List" to "List." During the reevaluation of Eureka Plain HU, Elk River Watershed, Lower Elk River and Martin Slough, it was discovered that the Lower Elk River decision included *E. coli* data for Elk River at Zanes Road/Estevos sampling station in 2012 (LOE ID 47488) although this sampling station is located in the Eureka Plain HU, Elk River Watershed, Upper Elk River waterbody. LOE ID 47488 was changed to be associated with the correct decision (Decision ID 161525) for the correct waterbody segment (Upper Elk River). Upper Elk River was reassessed to include data collected before October 21, 2012 (LOE ID 47449), and there are a total of five exceedances out of 10 samples. Therefore, Decision ID 161525 was revised from "Do Not List" to "List." The following waterbodies were also mentioned in the comments but did not need the reassessment as previously described. <u>Old Home Beach (Decision ID 168925)</u>: Old Home Beach remains "Delist" on the 303(d) list. There is sufficient enterococcus information to determine that Old Home Beach is fully supporting the REC-1

	beneficial use. It was determined that "Delist" was appropriate by meeting Listing Policy sections 4.2 and 4.3. During the review of the decision, it was determined that there were two sets of duplicate enterococcus data for the REC-1 beneficial use assessment. • LOE IDs 32778 and 32780 are duplicate geometric mean enterococcus data. LOE ID 322778 was removed from the decision. • LOE IDs 133655 and 133701 are duplicate geometric mean enterococcus data. LOE ID 133655 was removed from the decision. Moonstone County Beach (Decision ID 162996): Moonstone County Beach is north of the mouth of Little River and remains "Do Not Delist" on the 303(d) list. It was determined that "Do Not Delist" was appropriate during a review of the decision because both REC-1 and SHELL beneficial uses are not supported. Clam Beach (near Mad River mouth) (Decision ID 161502) and Clam Beach (near Strawberry Creek) (Decision ID 161512): Clam Beach is south of the mouth of Little River and remains "Do Not Delist" on the 303(d) list. It was determined that "Do Not Delist" was appropriate during a review of the decision because the SHELL beneficial use is not supported. Please refer to responses to comments below in Comment Category 6: North Coastal Regional Water Board Assessments for responses to additional concerns mentioned in the comments listed on the left.
6.03; 6.05; 6.12; 6.16; 6.17; 6.18; 11.02; 32.01;	**B: Comment Category Subtopic: Missing Bacteria Data** **Commenter(s):** Humboldt Waterkeeper, Lee Dedini, Nancy Ihara, Susanne Evola **Comment Summary:** Commenters identified bacteria data that were not assessed in the 2026 California Integrated Report and requested that they be assessed. Some of that data refer to the Coastal Pathogen Project. Commenters also requested a re-evaluation of indicator bacteria assessments for McDaniel

	Slough in Eureka Plain HU, McDaniel Slough and Mad River Slough in Eureka Plain HU, Mad River Slough and requested that they be added to the 303(d) list. **Response:** The missing data described by commenters have been identified as two separate data sets. Data collected by North Coast Regional Water Board staff for the Coastal Pathogen Project were entered into CEDEN, except for bacteria data for Jolly Giant Creek, which will be uploaded once some data quality discrepancies have been resolved. The data collected at Jolly Giant Creek were not assessed for the 2026 California Integrated Report; however, the data are in the process of being assessed as high priority off-cycle assessments for the 2028 California Integrated Report. Humboldt Waterkeeper also collected data for this project. Data collected by Humboldt Waterkeeper in coordination with the Coastal Pathogen Project were not submitted to CEDEN by the data solicitation cut-off date of October 21, 2022, for the 2026 California Integrated Report, and therefore were not assessed in the 2026 California Integrated Report. Water Boards staff is currently coordinating with Humboldt Waterkeeper. If data are submitted to CEDEN in a timely manner, they may be assessed as high priority off-cycle assessment for the 2028 California Integrated Report. All readily available data and information received during the data solicitation period for the current listing cycle were assembled and evaluated. The public notice commencing the data solicitation period for the 2026 California Integrated Report was published on April 18, 2022. All readily available data and information for surface waters within the boundaries of the “on-cycle” Regional Water Boards received prior to the data solicitation cut-off date of October 21, 2022, were considered. This public notice describes ‘readily available data and information’ as data and information successfully submitted to the State Water Board via CEDEN. The State Water Board also accepts qualitative data and information from the Integrated Report Upload Portal. This process minimizes staff error when entering data. If data or information is submitted after the data solicitation cut-off date, staff may consider high priority off-cycle assessments. Eureka Plain HU, McDaniel Slough (Decision ID 161533): Indicator bacteria data for McDaniel Slough were reevaluated. Two exceedances out of four samples (LOE ID 321866) were found, which were insufficient (i.e., too few samples) to determine the REC-1 beneficial use support. McDaniel Slough remains “Do Not List” on the 2026 303(d) List as impaired by indicator bacteria.

	Eureka Plain HU, Mad River Slough waterbody (Decision ID 161532): Mad River Slough was assessed for impact to REC-1 and shellfish harvesting ("SHELL") beneficial uses by indicator bacteria. For the REC-1 beneficial use, data provided by North Coast Regional Water Board staff showed three of four exceedances for *E. coli* samples collected in Liscom Slough (LOE ID 321856), and three of four exceedances for *E. coli* samples collected at an unnamed slough at Lanphere Road and Seidel Road (LOE ID 321895). Samples were also collected at roadside ditches for a bacteria source assessment study. These ditches are not receiving waterbodies, and staff determined they are not associated with Mad River Slough to assess for the integrated report. Roadside ditch data for Jackson Ranch Road (LOE ID 321891) and Foster Road and Seidel Road (LOE ID 321869) were removed from Decision ID 161532. Mad River Slough was reassessed for the SHELL beneficial use, which resulted in five exceedances out of 203 samples collected throughout calendar years (LOE ID 31816), which fully supports the SHELL beneficial use. Mad River Slough remains "Do Not List" on the 303(d) list. New data and information for these sloughs may be considered as part of the high-priority off-cycle assessments for the 2028 California Integrated Report as mentioned above.
6.15; 10.01;	**C. Comment Category Subtopic: Humboldt Bay Oyster Farms** **Commenter(s)**: Humboldt Waterkeeper, Lee Dedini **Comment Summary**: Commenters requested the assessment consider the effects of indicator bacteria on commercial oyster farms in Humboldt Bay before delisting indicator bacteria from the bay's tributary streams if they impair the SHELL beneficial use downstream. **Response**: Bacteria in Humboldt Bay were assessed for the shellfish harvesting beneficial use and the use was found to be fully supported in Decision ID 170541. The Water Quality Control Plan for the North Coast Region ("North Coast Regional Basin Plan") includes the following water quality objective for bacteria: "At all areas where shellfish may be harvested for human consumption (SHELL), the fecal coliform concentration throughout the water column shall not exceed 43/100 ml for a 5-tube decimal dilution test or 49/100 ml when a three-tube decimal dilution test is used

	(National Shellfish Sanitation Program, Manual of Operation).” Water quality assessments are conducted to assess support of the beneficial uses designated in the North Coast Regional Basin Plan. Beneficial uses designated to the tributary streams to Humboldt Bay are assessed if data are available. However, the tributary streams to Humboldt Bay are not designated with the shellfish harvesting beneficial use. For those tributaries to Humboldt Bay that do not have designated beneficial uses, data collected in the tributaries would be assessed for the SHELL designated beneficial use when evidence indicates that shellfish is harvested for human consumption, consistent with the water quality objective for bacteria. Mad River Slough, as described in Comment Category Subtopic 6.B Missing Bacteria Data, was found to be fully supporting of the shellfish harvesting beneficial use (Decision ID 161532). Mad River Slough is the only tributary to Humboldt Bay that does not have designated beneficial uses when oysters are commercially harvested. Fecal coliform samples collected from Mad River Slough were assessed for the SHELL beneficial use. Fecal coliform data were submitted for Mad River Slough in ref3658 for sampling stations WQ #27 and T2a. The data were collected throughout the year and there were five exceedances out of 203 samples, which results in the SHELL beneficial use being fully supported. Please refer to responses to comments described in Comment Category Subtopic 6E: Addressing Bacteria Sources for responses to additional concerns in Comment 10.01.
6.09; 31.03(a)	**D. Comment Category Subtopic: Request for Water Quality Sampling to Prioritize TMDLs** **Commenter(s)**: Humboldt Waterkeeper, Save California Salmon **Comment Summary**: Commenters requested that more water quality testing be conducted, particularly before delisting waterbody segments from the 303(d) list. Commenters stated that waterbody segments should only be delisted if new data show the stream is not impaired for a period of time. Save California Salmon expressed concerns about some of the pollutants most harmful to salmon in the Sacramento River and Smith River, such as temperature, dissolved oxygen, and pesticides (e.g., copper), are not being monitored. The commenter urges the State Water Board to identify where additional water quality testing can be used to monitor water quality parameters and pollutants to aid in assessments and TMDL creation in salmon habitats. **Response**: The Listing Policy specifies that data assessment decisions be based upon an evaluation of all readily available data. Section 4 of the Listing Policy provides factors to delist waterbody segments from

	the 303(d) list. The binomial test criteria that must be met to delist is more stringent than criteria used to list (i.e., lower alpha and beta errors). This higher degree of certainty requires a larger sample size to support delisting. In other words, the Listing Policy requires more evidence for a waterbody to be delisted than to be listed. Although the integrated report program does not conduct monitoring, monitoring programs do consider the data in the integrated report and a waterbody's listing status in setting monitoring priorities. For example, the North Coast Regional Water Board considers the 303(d) list and assessments from the integrated report when setting its monitoring priorities. Should additional temperature, dissolved oxygen, and pesticide data become available, the data will be assessed in future integrated reports. Smith River: In the Smith River HU, Smith River watershed, water temperature, dissolved oxygen and copper are included in the assessments for the cold freshwater habitat ("COLD") beneficial use, which was found to be fully supported. Copper is also included in the assessments for the warm freshwater habitat ("WARM") and municipal and domestic supply ("MUN") beneficial uses, which both were found to be fully supported. The mainstem Smith River is not on the 303(d) list. In the Smith River HU, Delilah Creek is on the 303(d) list for alkalinity as CaCO3 and copper, Tilas Slough is on the 303(d) listed for copper, and an unnamed coastal stream is on the 303(d) listed for dissolved oxygen. The assessments are used to prioritize TMDL creation or other efforts to address impairments. TMDL development priority ranking process is described in detail in the 2026 Proposed Final Staff Report section 2.7. The TMDL development for the three waterbodies in the Smith River watershed that are on the 303(d) list are ranked as "low." However, the low priority ranking does not imply low importance. For these waters, the low priority reflects the fact that TMDLs are not expected to be developed in the next 10 years, in part because the North Coast Regional Water Board is prioritizing efforts to develop general waste discharge requirements for commercial lily bulb operations in the Smith River Plain. This general waste discharge requirements are intended, in part, to control discharges of agricultural pollutants to the impaired waterbodies. The timing of TMDL creation or other efforts to address impairments may be reconsidered during the Triennial Review process when TMDL workplans are proposed. The current triennial review workplan is for July 1, 2024, to June 30, 2027. Comments may be submitted during the next triennial review to request Smith River watershed TMDLs be placed higher on the priority list. More information

	about the Triennial Review may be found at the following website: https://www.waterboards.ca.gov/northcoast/water_issues/programs/basin_plan/triennial_review/ Please also refer to the Central Valley Regional Water Board response to comment category subtopic 7L: Request for Water Quality Sampling to Prioritize TMDLs for concerns for Sacramento River for Comment 31.03.
4.01; 6.08; 16.01	**E. Comment Category Subtopic: Addressing Bacteria Sources** **Commenter(s)**: Emily Siegel, Humboldt Waterkeeper, Virginia Howard Mullan **Comment Summary**: Commenters expressed concerns about delisting when no changes have been made to reduce bacteria polluted runoff and some activities continue to contribute those pollutants. A commenter requested that Humboldt County streams not to be delisted for indicator bacteria until there is a water quality improvement plan that sets the maximum amount of a pollutant allowed in a waterbody to help restore it to meet water quality standards. **Response**: The integrated report does not address actions to restore impaired beneficial uses; rather it reports on the conditions based on readily available data at the time of assessment and is used to inform the prioritization of action to address impaired waterbody segments. The integrated report is an informational document with assessments of readily available data to evaluate water quality and to determine if designated beneficial uses are supported. The 303(d) list is developed in accordance with the Listing Policy to determine when data indicate that waterbody segments are impaired. Once on the 303(d) list and data reflect a waterbody is meeting the water quality standards, the waterbody segment can be removed from the 303(d) list. The North Coast Regional Water Board identifies bacteria in the water as a critical issue and has developed the Coastal Pathogen Project. This project is intended to control bacteria sources in coastal watersheds regardless of the listing status of a waterbody. For more information about the Coastal Pathogen Project and its implementation plan, please visit the following webpage: https://www.waterboards.ca.gov/northcoast/water_issues/programs/tmdls/coastal_pathogen/

	Please refer to response to comments described in Comment Category Subtopic 6A: Reconsider Humboldt County Indicator Bacteria Delistings for responses to additional concerns.
6.13; 6.19	**F. Comment Category Subtopic: Natural Background Bacteria Levels** **Commenter(s):** Humboldt Waterkeeper **Comment Summary:** The commenter requested that waterbodies designated with the REC-1 beneficial use exceeding natural background levels of bacteria be evaluated for impairment consistent with the narrative portion of the bacteria water quality objective in the basin plan. ("The bacteriological quality of waters of the North Coast Region shall not be degraded beyond natural background levels.") The commenter also provided a copy of their data collected from reference sites in timberlands upstream from anthropogenic sources for Little River and Janes Creek/McDaniel Slough, and stated that their data should be compared to downstream bacteria concentrations and that any waters exceeding natural background as described in the narrative water quality objective should be considered impaired. **Response:** The interpretation and application of the basin plan's narrative bacteria water quality objective for water quality assessments are two-fold. First, for context, natural background refers to characteristics of a waterbody in the absence of anthropogenic stressors. However, all waterbody segments in the North Coast Region are assumed to have some anthropogenic stresses, so that a natural background condition is interpreted by the North Coast Regional Water Board (see citation in next paragraph) as the bacteriological condition of a waterbody in the absence of significant human disturbance or alteration, also known as a minimally disturbed condition. These conditions set the benchmark for comparisons to a site being assessed compared to background conditions. Second, comparison of data to natural background conditions requires a methodology to interpret natural background. The North Coast Regional Water Board has established a natural background conditions methodology using minimally disturbed areas for freshwater locations in the USEPA Level III Coast Range Ecoregion. Refer to "An Interpretation of the North Coast Regional Water Quality Control Board Narrative Natural Background Water Quality Objective for Bacteria as Applied in Freshwater Streams of the Coast Range Ecoregion" (https://www.waterboards.ca.gov/northcoast/water_issues/programs/tmdls/coastal_pathogen/pdf/250605/cpp_report_naturalbackground.pdf) comparing the median *E.coli* or enterococci concentration of the water of interest dataset to the median *E. coli* or enterococci concentration of the minimally disturbed stream

	dataset. Note that the methodology only applies to freshwater, not saline or brackish waters in McDaniel Slough or lower reaches of the Little River. Additionally, enough samples need to be available to calculate a median dry weather value and/or a median wet weather value for comparison to minimally disturbed conditions. The methodology, as described above, is an established protocol for comparing data to natural background conditions; however, there has not yet been sufficient data to apply the methodology for integrated report assessments. However, the bacteria data submitted by the commenter for the Little River and Janes Creek/McDaniel Slough will be assessed to determine if there are sufficient data to calculate a median with statistical power and if bacteria levels exceed natural background levels as a high priority off-cycle assessment in the 2028 California Integrated Report. This will allow any draft assessment to be publicly shared, and the public will have the opportunity to provide comments. The assessments will apply the established methodology for the freshwater locations in the USEPA Level III Coast Range Ecoregion.
13.02; 13.03;	**G. Comment Category Subtopic: Laguna de Santa Rosa and Santa Rosa Creek Tributaries** **Commenter(s)**: Russian Riverkeeper **Comment Summary**: The commenter disagrees that Laguna de Santa Rosa, Santa Rosa Creek, and its tributaries should be delisted for indicator bacteria and nitrogen. The commenter stated that while technically correct and in line with the Listing Policy, the weight of evidence shows a continued impairment by indicator bacteria in the Laguna de Santa Rosa and Santa Rosa Creek tributaries. The commenter requests that the Water Boards use discretion when delisting. The commenter also stated the percentage of exceedances indicate an impairment. For example, if there are three exceedances out of four samples and four exceedances out of six samples, exceedances occur 75 and 66 percent of the time, respectively, for tributaries to Santa Rosa Creek (Decision ID 169061). Therefore, the waterbodies should remain on the 303(d) list. **Response**: It remains appropriate to delist a waterbody in accordance with the binomial approach of the Listing Policy, which provides for reproducibility and consistency across the state. Impairments are not determined by a percentage of exceedances sampled. Listing Policy section 3.3 describes the listing factor for REC-1 bacteria assessments, including use of the binomial test in Table 3.2, to minimize errors when determining whether a waterbody segment is impaired. Additionally, Listing Policy section 4.3

	provides bacteria assessment methodologies and conditions to remove a waterbody segment from the 303(d) list, including the binomial test in Table 4.2. In the scenario presented in the comment above concerning Decision ID 169061, the sum of all data collected is insufficient to determine beneficial use support (i.e., to delist) with statistical certainty because there are fewer than the minimum 26 samples required for that determination. To determine beneficial use impairment (i.e., to list), a minimum of five samples may be used, provided all five samples exceed the water quality objective. If the number of samples do not meet this requirement, then the data do not indicate beneficial use support of impairment with statistical confidence. Due to comments received, bacteria decisions for the REC-1 beneficial use in the Laguna de Santa Rosa and Santa Rosa Creek tributaries were reassessed. As a standard practice for the 2026 California Integrated Report, historical indicator bacteria data collected prior to 2012 were not used to assess water quality standards attainment so long as more recent data were available sufficient to evaluate beneficial use attainment. It was discovered that older bacteria data were inadvertently excluded and there were not sufficient newer data to make a beneficial use determination. Therefore, data collected prior to 2012 were assessed. The following summarizes the outcome of the reassessments: • Laguna de Santa Rosa tributaries in the Russian River HU, Middle Russian River HA, Laguna HSA, tributaries to the Laguna de Santa Rosa (except Santa Rosa Creek and its tributaries) waterbody (Decision ID 169053) was reevaluated but not revised, and the decision remains “Delist.” • Santa Rosa Creek tributaries in the Russian River HU, Middle Russian River HA, Santa Rosa HSA, tributaries to Santa Rosa Creek waterbody (Decision ID 169061) was reevaluated and was revised from “Delist” to “Do Not Delist,” due to the exceedances in Piner Creek. For the mainstem Laguna de Santa Rosa, there is sufficient information to support removing (i.e., delisting) the waterbody segment for nitrogen. A bacteria TMDL is currently under development for the Russian River and a nutrients TMDL is currently under development for the Laguna de Santa Rosa.
06.14; 06.20;	**<u>H. Comment Category Subtopic</u>: Fecal Coliform**

	Commenter(s): Humboldt Waterkeeper **Comment Summary**: The commenter requested the assessment of fecal coliform data by translating fecal coliform data into *E. coli* data. The commenter also requested that the objective using fecal coliform be applied to the assessments. **Response**: Translating fecal coliform data to *E. coli* values requires paired data to establish a regional or waterbody-specific translator, and the correlation between the two types of bacteria must be robust. As these data were not available, the fecal coliform data were not translated to *E. coli* values. The North Coast Regional Basin Plan contains water quality objectives for the North Coast Region. The North Coast Regional Basin Plan identified fecal coliform as the analyte to assess the protection of water-contact recreation. However, this objective is no longer in effect as it was superseded in 2019 by the statewide Part 3 of the Water Quality Control Plan for Inland Surface Waters, Enclosed Bays, and Estuaries of California – Bacteria Provisions and a Water Quality Standards Variance Policy ("Bacteria Provisions"). The proposed amendment to the North Coast Regional Basin Plan (https://waterboards.ca.gov/northcoast/board_info/board_meetings/06_2025/pdf/6/6-basin-cleandraft.pdf), available on the North Coast Regional Water Board website, reflects this change in the objective. The Bacteria Provisions uses *E. coli* in freshwater and *Enterococcus* in saline water to assess support for the REC-1 beneficial use. The change from fecal coliform to *E. coli* was based on research indicating that *E. coli* is a better predictor of gastrointestinal illness than fecal coliform.
31.04(a);	**I. Comment Category Subtopic: Tribal Beneficial Uses** **Commenter(s)**: Save California Salmon **Comment Summary**: Commenter noted that the Water Boards have presented information on assessing health advisories and data collected to evaluate the human health risk. The commenter stated that Tribal Beneficial Uses should be considered in the water quality evaluations in waterbodies in the northern region of California, such as Butte Creek, Mill Creek, Eel River, Trinity River, Scott River, Shasta River, and Smith River, even when they are not designated in the Basin Plans. If there is evidence of use occurring and pollutant exceedances are found, those waterbodies should be placed on the 303(d) list.

	Response: The integrated report assesses data to evaluate the protection of designated beneficial uses. Listing Policy section 1 states that the Listing Policy, and as such the 303(d) list development process, is not used to establish, revise, or refine any water quality objective or beneficial use. The one exception, as noted by the commenter, is Listing Policy section 3.4, which describes the use of health advisories where fish consumption beneficial use is designated or existing (but not necessarily designated) when assessing waterbody segments for the 303(d) list. (Please refer to section 3.14 of the 2026 Staff Report for more information.) Therefore, at this time, data are not assessed for waterbody segments that are not designated with a Tribal Beneficial Use. Once beneficial use(s) is(are) designated, data will be assessed for attainment of the beneficial use(s). The North Coast Regional Basin Plan identifies the Native American Culture ("CUL") beneficial use, which comprises "uses of water that support the cultural and/or traditional rights of indigenous people such as subsistence fishing and shellfish gathering, basket weaving and jewelry material collection, navigation to traditional ceremonial locations, and ceremonial uses." Several waterbody segments are designated with CUL. However, additional information is needed to assess data to determine attainment or impairment of the CUL beneficial use of those waterbody segments. For example, information such as activity, duration, general timing or seasonality can provide context on exposure routes and rates that can be used to identify an appropriate numeric evaluation guideline. Additionally, the evaluation guideline used to assess CUL would need to be peer reviewed and meet the criteria of Listing Policy section 6.1.3. Some activities may overlap with other designated and evaluated beneficial uses, such as aquatic life uses, REC-1, non-contact water recreation ("REC-2") beneficial use, or COMM. Cultural activities may also pose greater exposure risks that are not protected by those adjacent beneficial uses. The Water Boards welcome Tribal communities and others to share non-confidential additional information about activities, duration, exposures routes, and exposure rates to help identify an evaluation guideline(s) that more appropriately represents the protection of the CUL beneficial use. There are active efforts to designate CUL and T-SUB occurring across California. For waterbody segments in the North Coast Region, the North Coast Regional Water Board and its tribal coordinator are primary points of contact to discuss Tribal Beneficial Uses. The North Coastal Regional Water Board approved the 2023 Triennial Review in June, 2024, prioritizing the Native American Culture Beneficial Uses project. The North Coast Regional Water Board's website

	(https://waterboards.ca.gov/northcoast/water_issues/programs/basin_plan/nacbu/) for this project provides more information on current efforts and future plans. Please also refer to the Central Valley Regional Water Board response to comment category subtopic 7E: Tribal Beneficial Uses.
06.04;	**J. Comment Category Subtopic: Incorporate Comments by Reference** **Commenter(s)**: Humboldt Waterkeeper **Comment Summary**: Comments by Russian Riverkeeper and Steve Butkus are incorporated by reference into Humboldt Waterkeeper comments. **Response**: Comment noted.
12.01; 13.01; 13.06;	**K. Comment Category Subtopic: General Statements of Support or Opposition** **Commenter(s)**: Pamela Maxfield, Russian Riverkeeper **Comment Summary**: The commenters support most 303(d) listings, specifically Eureka Plain HU, Jolly Giant Creek for indicator bacteria. Other commenters requested listing decisions be honest and ethical and that discretion is used when making listing decisions in the Russian River watershed. **Response**: Thank you for your comments. The Listing Policy provides a basis for scientifically sound, reproducible assessments. A comprehensive assessment of surface water quality conditions is completed every six years. Should conditions change, the waterbody segment may be placed on the 303(d) list in a future integrated report. A bacteria TMDL is currently under development for the Russian River and a nutrients TMDL is currently under development for the Laguna de Santa Rosa. Development and updates of TMDLs in the North Coast Region can be found on the program website (https://waterboards.ca.gov/northcoast/water_issues/programs/tmdls/).

13.04; 13.05;	**L. Comment Category Subtopic: Downstream Nitrogen Impacts** **Commenter(s)**: Russian Riverkeeper **Comment Summary**: The commenter stated that nitrogen in the Laguna de Santa Rosa causes downstream impacts to the ocean and contributes to ocean acidification. The Laguna de Santa Rosa should not be delisted for nitrogen. **Response**: The commenter's concerns and the importance of considering nitrogen loads in relation to impacts due to OA are recognized. In the 2026 California Integrated Report, OA data were assessed using the situation-specific weight of evidence listing factor in section 3.11 of the Listing Policy to determine support of the Marine Habitat beneficial use for omega aragonite. Ultimately, the requisite conditions under section 3.11 of the Listing Policy could not all be satisfied to support "List" Decisions. As a result of this data assessment, two waterbody segments, Pacific Ocean Cape Mendocino HU and Pacific Ocean Smith River HU, were placed in CWA 305(b) report Category 2 due to an insufficient number of samples to make an assessment. No waterbody segments were placed in Category 5 for not meeting water quality standards. The Laguna de Santa Rosa waterbody segment flows into the Pacific Ocean Russian River HU ocean waterbody segment. At this time, there is an insufficient amount of information to determine if the Pacific Ocean Russian River HU is impaired due to OA or nitrogen. The commenter is encouraged to submit data for the Pacific Ocean Russian River HU that may aid in an evaluation of OA during the next data solicitation period in which the North Coast Region is on-cycle. The commenter may also consider requesting that the Water Boards consider such data as a high-priority, off-cycle assessment.
34.01	**M. Comment Category Subtopic: Bacteria Assessment for Monte Rio Beach** **Commenter(s)**: Bart Deamer **Comment Summary**: The commenter requested that the assessment for Monte Rio Beach uses bacteria data that were collected prior to 2012. The commenter also requests clarification on whether excluding these data aligns with the Listing Policy.

	Response: No changes were made in response to this comment. As a standard practice for the 2026 California Integrated Report, historical indicator bacteria data collected prior to 2012 were not used to assess water quality standards attainment so long as more recent data were available sufficient to evaluate beneficial use attainment. This bacteria assessment methodology is in accordance with section 6.1.5.3 of the Listing Policy, that data should be representative of the critical timing that the pollutant is expected to impact the waterbody segment. Please refer to response to Comment 6A for additional details on this practice. The Decision was reviewed to ensure that data were evaluated in accordance with Lising Policy requirements. Monte Rio Beach lies within the Russian River HU, Lower Russian River HA, Guerneville HSA (Decision ID 163011). Assessment of all data for Monte Rio Beach for the period from October 12, 2012, forward (including data from reference 4619) reflect that there are sufficient data to determine that the waterbody segment should be listed as impaired for the REC-1 beneficial use. There are two LOEs for Russian River at Monte Rio Beach (LOE IDs 357919 and 352050) that result in 21 exceedances out of 96 geometric mean calculations, which is sufficient to determine that the REC-1 beneficial use is not supported. Russian River HU, Lower Russian River HA, Guerneville HSA (Decision ID 163011) remains "Do Not Delist."
15.01	**N. Comment Category Subtopic: Analytical Detection Limits** **Commenter(s)**: Steve Butkus **Comment Summary**: The commenter stated that samples measuring *E. coli* bacteria were not included when samples results were below the analytical detection limit. Samples that were below the detection limit are still real measurements of low concentration. Discarding these samples greatly biased the final assessment decision. **Response**: The data were previously not used because the meta data, specifically the CEDEN Result Quality Code, was not clear as to whether the sample results were below the reporting limit or below the water quality objective. Due to the comment, data were reviewed and determined they could be used with the clarification that the results were below the reporting limit.

	Also as a result of this comment, other stations beyond those mentioned by the commenter were found with the same error. The data were reassessed to indicate that the data were below the reporting limit, and the LOEs and decisions were updated. However, there were no changes to any listings or delistings.
	
	The following lines of evidence were revised. LOE IDs in **bold** emphasis are LOEs associated with the station names identified by the commenter.
	
	• Eel River HU, South Fork HA (Decision ID 161304):
	  ○ **LOE ID 321876**: Sampling station Harper Creek had one additional sample. When reassessed, the LOE contained zero exceedances out of six samples.
	  ○ **LOE ID 321860:** Sampling station Little Mill Creek at Mattole Road had one additional sample. When reassessed, the LOE contained zero exceedances out of six samples.
	  ○ LOE ID 321857: Sampling station Calf Creek had one additional sample. When reassessed, the LOE contained zero exceedances out of six samples.
	• Eureka Plain HU, Elk River Watershed, Upper Elk River (Decision ID 161525):
	  ○ LOE ID 321882: Sampling station Elk River at Zanes Road had two additional samples. When reassessed, the sampling station had zero exceedances out of four samples.
	• Eureka Plain HU, Freshwater Creek (Decision ID 161526):
	  ○ LOE ID 321884: Sampling station Graham Gulch at Pacific Lumber had one additional sample. When reassessed, the sampling station had zero exceedances out of four samples.
	• Eureka Plain HU, Gannon Slough (Decision ID 161527):
	  ○ LOE ID 321900: Sampling station Gannon Slough near Hwy 101 had one additional sample. When reassessed, the sampling station had three exceedances out of 11 samples.
	• Mad River HU, Mad River (Decision ID 162994):
	  ○ LOE ID 321864: Sampling station Unnamed Stream at Anker Road had two additional samples. When reassessed, the sampling station had zero exceedances out of four samples.
	• Mendocino Coast HU, Gualala River HA, Phillips Gulch (Decision ID 162995):
	  ○ **LOE ID 321880**: Sampling station Phillips Gulch had one additional sample. When reassessed, Phillips Gulch had zero exceedances out of six samples.
	• Redwood Creek HU, Redwood Creek (Decision ID 163010):
	  ○ **LOE ID 321885**: Sampling station Little Lost Man Creek had one additional sample. When reassessed, Little Lost Man Creek had zero exceedances out of six samples.

	○ **LOE ID 321886**: Sampling station Lost Man Creek at Lost Man Picnic Area had one additional sample. When reassessed, Lost Man Creek had zero exceedances out of six samples. ○ **LOE ID 321855**: Sampling station Prairie Creek had two additional samples. When reassessed, Prairie Creek had zero exceedances out of six samples. • Russian River HU, Lower Russian River HA, Guerneville HSA (Decision ID 163011): ○ **LOE ID 321901**: Sampling station F[r]eezeout Creek had three additional samples. When reassessed, Freezeout Creek had zero exceedances out of six samples. • Smith River HU, Smith River watershed (Decision ID 163036): ○ **LOE ID 321863**: Sampling station Cedar Creek above Howland Hill Rd. (station code 103CDCHHR) in Smith River HU, Smith River watershed had three additional samples that were less than the reporting limit. When reassessed, Cedar Creek had zero exceedances out of six samples. • Trinidad HU, Big Lagoon HA, Mill Creek (Decision ID 163578): ○ LOE ID 321881: Sampling station Mill Creek at Stagecoach Road had one additional sample less than the reporting limit. When reassessed, the line of evidence had zero exceedances out of four samples.
06.21; 15.02; 34.02;	**O. Comment Category Subtopic: Waterbody Fact Sheet Editorial Correction** **Commenter(s):** Humboldt Waterkeeper, Steve Butkus, Bart Deamer **Comment Summary:** • Mad River Slough: One commenter requested an explanation for the inconsistent information presented in Appendix B1: Statewide Waterbody Fact Sheets – Excel Version of the draft staff report of the 2026 California Integrated Report. The commenters stated the decision language for Mad River Slough has conflicting information, that the waterbody segment should be added to the 303(d) list, placed as category 1 (beneficial uses are known to be impaired), and that there is insufficient information to make a beneficial use support decision. • Statistical Test Percent: The commenter stated that Monte Rio Beach was assessed at four percent instead of ten percent. The use of the four percent statistic test applies when there is a human source of bacteria, which was not specified.

	Response: Thank you for your comments. Staff have reviewed the decisions the commenters highlighted and have made the following changes: Eureka Plain HU, Mad River Slough (Decision ID 161532): The decision language was reviewed and the commenter is correct that the text erroneously states that there is both sufficient justification and insufficient information to make a listing decision. The decision relationship language was updated to reflect that there is insufficient information to make a listing decision. Category 1 is described as "at least one core beneficial use is supported, and no beneficial uses are known to be impaired", and Category 2 is described as "insufficient data and/or information to determine core beneficial use support." Condition categories are assigned to decisions rather than lines of evidence. Decision ID 161532, for indicator bacteria in the Eureka Plain HU, Mad River Slough waterbody, has: • Four lines of evidence for the REC-1 beneficial use (LOE IDs 321891 for station code 110DJXNRD, 321869 for station code 110DSEIDL, 321895 for station code 110UNSLPHR, and 321856 for station code 110UNSJXN) and; • One line of evidence for the SHELL beneficial use (LOE ID 31816 for station codes WQ-27 and T2a). There is insufficient information to determine the beneficial use support for the REC-1 beneficial use while the SHELL beneficial use is fully supported. Therefore, Eureka Plain HU, Mad River Slough was placed in the 2026 California Integrated Report as category 1. Statistical Test Percent: The four percent reference in the language of Decision IDs 163011 and 164238 were incorrectly carried over from the 2024 California Integrated Report. An exceedance frequency of ten percent was applied to the data in these decisions and the decision language was updated to reflect the editorial error for Russian River HU, Middle Russian River HA, Guerneville HSA (Decision ID 163011) and Russian River HU, Middle Russian River HA, Geyserville HSA (Decision ID 164238.)

Comment Category 7: Central Valley Regional Water Board Assessments

Comment Number(s)	Comment Category 7: Central Valley Regional Water Board Assessments
22.08; 22.09; 22.10; 22.11	**A: Comment Category Subtopic: Central Valley Pyrethroid Control Program** **Commenter(s):** City of Stockton and County of San Joaquin **Comment Summary:** The commenters raised concerns with listings for Calaveras River, Lower (from Stockton Diverting Canal to the Delta Waterways); Duck Creek (San Joaquin County); and Mormon Slough (from Stockton Diverting Canal to Bellota Weir – Calaveras River) for multiple pyrethroid pesticides. The commenters note that without the full set of calculations, specific data, and any data transformations, it is unclear whether the data were analyzed using the Pyrethroid Control Program approach. The commenters request calculations, data, and data transformations for the above mentioned waterbodies for pyrethroids, bifenthrin, cyhalothrin, cypermethrin, and deltamethrin pollutants; however, some of the decision IDs provided do not necessarily correspond to these pollutants. Toxicity (Decision ID 168340), aluminum (Decision ID 159502), and iron (Decision ID 150474) decision IDs were provided in addition to various pyrethroid pesticides decision IDs. The commenter states that new 2026 Integrated Report Central Valley Pyrethroid listing decisions are incorrectly assigned a listing status of “List on the 303(d) List (TMDL required list).” The commenters recommend that all pyrethroid listings in the Sacramento River and San Joaquin River Basins should be placed in a more representative condition category such as Category 4b or 5R because the Central Valley Pyrethroid Control Program for the Control of Pyrethroid Pesticide Discharges (“Control Program”) established by Resolution R5-2017-0057 is a comprehensive regional regulatory program that explicitly addresses pyrethroid pesticides. The Control Program includes a conditional prohibition of discharge of pyrethroids to protect aquatic life beneficial uses in surface waters in the Sacramento and San Joaquin River watersheds. The commenters acknowledge that these requests had been provided in comments for both the 2020-2022 California Integrated Report and the 2024 California Integrated Report. Regarding the request for

	data and calculation information, the commenters reiterate that the previous cycle responses do not fundamentally address their request. Regarding the condition category placement of the pyrethroid listings the commenters contend that the responses provided by the Water Boards seemed contradictory to the basis of the goals set forth within the Control Program. **Response:** This response applies to pesticide pollutants. While the commenters listed decision IDs for toxicity, aluminum, and iron, there is no written request, comment, or recommendation associated with these pollutants in the comment itself. The commenter is correct that similar comments have been made during the previous integrated report public comment periods. Regarding calculations and data transformations the commenter is directed to Staff Report section 3.5.1 Pesticides and Other Organic Chemicals and section 3.6.1 Pesticides and Organic Chemicals – Organic Carbon Normalization for information on pyrethroid pesticide calculations. Additionally, please see Comment Category 4 Subtopic A for more information on data and process transparency related to calculations and data used. Regarding waterbody condition category, Category 4b and Category 5R requirements continue to not be met for all Sacramento River and San Joaquin River Basin pyrethroid listings as there is no reasonable assurance that the water quality standards will be attained in a reasonable period of time or that there is a plan in place to address all sources of the impairments. Because new information or data were not presented in the comments summarized above, the response remains the same. Please see principal response 2.4 Existing Central Valley Regional Water Board Program Addressing Impairment from the Final Summary of Comments for the 2020-2022 California Integrated Report (https://www.waterboards.ca.gov/water_issues/programs/tmdl/2020_2022state_ir_reports_revised_final/2020-2022-ir-final-revised-summary-of-responses-and-comments.pdf) for the explanation regarding the requirements of a 4b or 5alt (now 5R) waterbody-pollutant categorization. Additionally, please see response to comment 008.10 from the Final Summary of Comments for the 2024 California Integrated Report (https://www.waterboards.ca.gov/water_issues/programs/tmdl/2023_2024state_ir_reports/2024-ir-final-proposed-summary-responses-comments.pdf) for more explanation regarding requirements for a 4b

	waterbody-pollutant categorization. Please note that both these responses include considerations for discharges from urban storm water management entities as well as agricultural land use. Response to comment 008.10 from the 2024 California Integrated Report also provides acknowledgement that research into pyrethroid management practices to protect beneficial uses may result in the necessary assurance needed to place more pyrethroid impaired Irrigated Lands Regulatory Program ("ILRP") waterbodies into Category 4b in the future.
19.16; 24.19	**B: Comment Category Subtopic:** Fipronil Data Duplication on the Sacramento River in the 2020 - 2022 California Integrated Report **Commenter(s):** Central Valley Clean Water Association, Sacramento Stormwater Quality Partnership **Comment Summary:** The commenters requested that Decision ID 121085 for fipronil be revised from "List" to "Delist" for the Sacramento River (in Delta Waterways, northern and western portions) waterbody segment because: • Samples for LOE ID 189659 were collected over a five-day period and had a median value of 10 nanograms per liter (ng/L). • 10 ng/L is lower than the USEPA Aquatic Life Benchmark for Fipronil. • There appears to be a duplicative LOE which should be omitted. • LOE ID 201603, does not specify a reporting limit or quality assurance code. **Response:** Decision ID 121085 remains "List;" however, LOE ID 201574 was removed because it is duplicative with LOE ID 189659. The remaining data includes three samples exceeding the water quality objective in 11 total samples, are sufficient exceedances to list per Table 3.1 of the Listing Policy. The data file for LOE ID 189659 was reviewed. While the median value of the individual samples is 0.010 ug/L (10 ng/L), the water quality objective is based on the average value, not the median. The average of the five samples is 0.01198 ug/L, which exceeds the USEPA Aquatic Life Benchmark of 0.011 ug/L for chronic toxicity in invertebrates (7-day average).

	Based on the requirements outlined in Listing Policy section 6.1.5.5, the reporting limit is not necessary because the samples used to calculate the 7-day average were deemed quantifiable by the analyzing laboratory, is uncensored, and thus considered readily available data for the 2026 California Integrated Report.
19.28	**C: Comment Category Subtopic:** Specific Conductivity Data Duplication on Hospital Creek **Commenter(s):** Central Valley Clean Water Association **Comment Summary:** The commenter stated that there are duplicative LOEs on Hospital Creek (San Joaquin and Stanislaus counties). Specific Conductivity Decision ID 165411 includes four LOEs. Two of them, LOE ID 345990 and LOE ID 345962 share the same data reference used to assess water quality and repeat the same six exceedances of six samples. **Response:** Changes to listing recommendations were not made in response to this comment. However, upon further review, it was determined that LOE ID 345962 and LOE ID 345990 are duplicative and LOE ID 345990 was deleted and removed from Decision ID 165411. Please also refer to the Central Valley Regional Water Board response to Comment Category Subtopic 7M: Secondary Maximum Contaminant Levels ("SMCLs") - Lower San Joaquin River Salt Site Specific Objectives and QAPP concerns for more information regarding LOE ID 345962 and the verification of the associated QAPP.
19.43; 19.44; 19.45; 19.46; 19.47; 19.48; 19.49; 19.50; 24.09; 24.10; 24.11; 24.12;	**D: Comment Category Subtopic:** Sacramento City Marina (Sacramento County) pH Assessment **Commenter(s):** Central Valley Clean Water Association, Sacramento Stormwater Quality Partnership **Comment Summary:** Multiple commenters identified issues with Decision ID 156827 for the waterbody segment Sacramento City Marina (part of Delta Waterways; northern portion) (Sacramento County) and the assessment of pH. Commenters identified incorrect station associations and stated that stations Sacramento Marina 5.x - 8.x are located on land or in the Sacramento River. Commenters also noted that the digit after the decimal point indicates sampling event.

24.13; 24.14	Commenters also expressed concerns that nearby pH sensors on the Sacramento River were not assessed for the 2026 California Integrated Report, and they questioned the minimum number of exceedances for a conventional vs. toxicant pollutant. **Response:** Changes were made in response to these comments. Please reference Response to Comments Appendix A: Comprehensive List of Revised CalWQA Decisions for final CalWQA Decisions associated with this comment. The listing recommendation for Decision ID 156827 was revised from "List" to "Do Not List" following the removal of nonrepresentative data from the Sacramento City Marina (Sacramento County) waterbody segment. It was determined that Sites 5.x - 8.x are located on the Sacramento River. Therefore, LOE ID 321754 was removed from Decision ID 156827. The pH data that were previously in LOE ID 321754 were copied into a new LOE ID 357927 and added to Sacramento River Decision ID 156863. The new LOE ID 357927, includes Sacramento City Marina stations 5.x - 8.x, which are all located on the Sacramento River. The latitude and longitude values for some of the Sacramento River stations were confirmed to be in the Sacramento River and not located on land after converting to the North American Datum 1927 (NAD27) listed in the data file. Stations are 200 meters apart and were assessed separately for each of the sampling events. This resulted in three exceedances in 12 samples, which is an insufficient number of exceedances to list per Table 3.2 of the Listing Policy. Therefore, the listing recommendation for Decision ID 156869 remained as "Do Not List." Additionally, Decision ID 156827 for the Sacramento City Marina has over 1,000 data points for pH and is currently a "Do Not List" decision. Interested parties can upload pH samples to CEDEN and to be assessed for the integrated report; however, CEDEN does not accept continuous monitoring data. Continuous monitoring data can be uploaded to the Integrated Report Document Upload Portal. https://www.waterboards.ca.gov/water_issues/programs/water_quality_assessment/ir_upload_portal.html
31.04(b)	**E: Comment Category Subtopic:** Tribal Beneficial Uses **Commenter:** Save California Salmon **Comment Summary:** Commenter noted that the Water Boards have presented information on assessing health advisories and data collected to evaluate the human health risk. The commenter stated that Tribal

	Beneficial Uses should be considered in the water quality evaluations in waterbodies in the northern region of California, such as Butte Creek, Mill Creek, Eel River, Trinity River, Scott River, Shasta River, and Smith River, even when they are not designated in the Basin Plans. If there is evidence of use occurring and pollutant exceedances are found, those waterbodies should be placed on the 303(d) list. **Response:** The integrated report assesses data to evaluate the protection of designated beneficial uses. Listing Policy section 1 states that the Listing Policy, and as such the 303(d) list development process, is not used to establish, revise, or refine any water quality objective or beneficial use. The one exception, as noted by the commenter, is Listing Policy section 3.4, which describes the use of health advisories where fish consumption beneficial use is designated or existing (but not necessarily designated) when assessing waterbody segments for the 303(d) list. (Please refer to section 3.14 of the 2026 Staff Report for more information.) Therefore, at this time, data are not assessed for waterbody segments that are not designated with a Tribal Beneficial Use. Once beneficial use(s) is(are) designated, data will be assessed for attainment of the beneficial use(s). At this time, Central Valley Water Regional Board Basin Plans do not have waterbody segments designated for Tribal Beneficial Uses. The Central Valley Regional Water Board is in the beginning stages of designating Tribal Beneficial Uses for the Sacramento/San Joaquin Rivers and Tulare Lake Basin Plans. Until Tribal Beneficial Uses are designated, other beneficial uses, such as Aquatic Life, Municipal, Wildlife, and Contact and Non-Contact Recreation may be used to assess the impacts of pollutants on humans, wildlife, and nature. More information on this multi-year Tribal Beneficial Use project can be found on the Central Valley Regional Water Board's Tribal Beneficial Use website. https://www.waterboards.ca.gov/centralvalley/water_issues/basin_plans/tribal_beneficial_uses/. Please also refer to the North Coast Regional Water Board response to Comment Category Subtopic 6I: Tribal Beneficial Uses.
19.42; 19.51	**F: Comment Category Subtopic:** Assessment Methods – pH (Toxicant V.S. Conventional Binomial Distribution Tests) **Commenter:** Central Valley Clean Water Association

	Comment Summary: The commenter states pH should be considered a conventional pollutant and be subject to the binomial distribution test of Table 3.2 of the Listing Policy. The commenter also claims Decision ID 160592 for the Delta-Mendota Canal (outside Delta Waterways, to O'Neil Forebay) waterbody in the 2026 Draft California Integrated Report inappropriately applied the binomial distribution test of Table 3.1 of the Listing Policy for toxicant pollutants. **Response:** Data was appropriately assessed as a conventional pollutant as section 7 of the Listing Policy defines pH as a conventional pollutant. In Decision ID 160592, LOE ID 332436 has 21 exceedances out of 48 samples for the WARM beneficial use. This exceeds the minimum number of exceedances needed to place a waterbody segment on the 2026 303(d) list for conventional pollutants based on Table 3.2 of the Listing Policy. Therefore, Decision ID 160592 for the Delta-Mendota Canal (outside Delta Waterways, to O'Neil Forebay) waterbody segment will remain as a "List" on the 303(d) List. It is important to note that the Delta-Mendota Canal (outside Delta Waterways, to O'Neil Forebay) is not impaired for pH for the REC-1 and REC-2 beneficial use.
19.36; 19.37; 19.38; 19.39; 19.40; 19.41	**G: Comment Category Subtopic: Pyrethroids Pollutant Assessment Review** **Commenter:** Central Valley Clean Water Association **Comment Summary:** The commenter asserts that multiple pyrethroid assessments do not follow the evaluation guideline methodology outlined in the Central Valley Pyrethroid Control Program. Specifically, the commenter highlights that the pyrethroids evaluation guideline considers the freely dissolved fraction and is a summation of six individual pyrethroids summed to one significant figure. They also contend that poor quality data were included in assessments and request that the data for the identified LOEs be reevaluated and that the Central Valley Pyrethroid Control Program methodology be applied to the affected assessments. The following Decision IDs and LOEs are identified by the commenter along with details of the asserted error: • Decision ID 158798; LOE ID 332576 Lone Tree Creek; Error Type: Use of the Central Valley methodology reduces the number of exceedances by 6.

	• Decision ID 159961; LOE 330811; Salt Slough (Mud Slough to Sand Dam, Merced County); Error Type: Multiple samples used as exceedances were annotated as needing data quality review. Central Valley methodology reduces the number of exceedances. • Decision ID 159316; LOE 332599; Cottonwood Creek (S Madera County) Error Type: Use of the Central Valley methodology reduces the number of exceedances. • Decision ID 159485; LOE 332558; Duck Creek; Error Type: One sample used as exceedances was annotated as needing data quality review. Central Valley methodology reduces the number of exceedances. **Response:** Pyrethroids assessments were made in accordance with the Sacramento River Basin and the San Joaquin River Basin Water Quality Control Plan ("Basin Plan"), which the commenter refers to as the Central Valley Pyrethroid Control Program, to determine attainment of COLD and WARM beneficial uses. For the integrated report, data were compared to the Basin Plan's 4-day average 5th percentile chronic concentration goals and a calculation to assess the additive effects of the pyrethroid pesticides for six pyrethroid pesticides (bifenthrin, cyfluthrin, cypermethrin, esfenvalerate, lambda-cyhalothrin, and permethrin). (Basin Plan, Chapter 4, pg. 4-54.) The calculation sums six individually measured pyrethroid concentration-to-chronic concentration goal ratios. This summation is not to exceed one concentration goal unit rounded to one significant figure. Additionally, for integrated report pyrethroid assessments, if the freely dissolved fraction was available or could be calculated in accordance with the Basin Plan, that fraction was preferentially used to assess COLD and WARM beneficial use attainment. However, if the freely dissolved fraction was not available or could not be calculated, the total fraction was used. The use of the total fraction is supported by the six water quality criteria reports for the individual pyrethroid pesticides released in 2015, which state that whole water fraction, or total fraction, samples also may be used to assess aquatic life impact. Please see Section 3.5.1 Pesticides and Other Organic Chemicals of the California 2026 Integrated Report Staff Report for more detail on pyrethroid assessment methods. During the review of the examples provided by the commenter, changes to pyrethroids LOEs and decision language were made to clarify the data used to make this assessment. The January 30, 2025 Draft 2026 Integrated Report included two LOEs for each of the two data references containing water data. One LOE contained quantifiable data that exceeded laboratory detection limits, and the other LOE contained

	unquantifiable data. The LOEs from the same data reference have been merged. The quantifiable data were used in the assessment and the unquantifiable data were noted but not used in the assessment. The freely dissolved fraction was calculated for each merged LOE if the total and dissolved organic carbon data were available, although the data fraction shown in the merged LOE represents the reported raw data (i.e., "total fraction").
	
	Regarding the examples provided by the commenter:
	
	• Decision ID 158798 (pyrethroids); LOE ID 332576; Lone Tree Creek:
	  ○ The appropriate methodology was applied. The concentration goal unit was rounded to one significant figure. For this LOE, the freely dissolved fraction was able to be calculated for quantifiable pyrethroid samples and was used to compare to the evaluation guideline.
	  ○ LOEs 332576 and 332581 contained data from the same station and data reference and have been merged in LOE 332576.
	  ○ The Decision remains "List."
	• Decision ID 159961 (bifenthrin); LOE ID 330811; Salt Slough (Mud Slough to Sand Dam, Merced County):
	  ○ The appropriate methodology was applied. For this LOE, the freely dissolved fraction was able to be calculated for quantifiable bifenthrin samples and was used to compare to the evaluation guideline of 0.1 ng/L bifenthrin.
	  ○ The three samples that exceeded the evaluation guideline were not flagged as needing review and any samples that were flagged as needing review or as metadata were not used in the assessment. The three samples were collected on 5/22/2021, 6/20/2021, and 7/23/2021.
	  ○ The Decision remains "List."
	• Decision ID 159316 (pyrethroids); LOE ID 332599; Cottonwood Creek (S Madera County):
	  ○ The appropriate methodology was applied. The concentration goal unit was rounded to one significant figure. For this LOE, the freely dissolved fraction was able to be calculated for quantifiable pyrethroid samples and was used to compare to the evaluation guideline.
	  ○ LOEs 332599 and 332627 contained data from the same station and data reference and have been merged in LOE 332599.
	  ○ The Decision remains "List."
	• Decision ID 159485 (pyrethroids); LOE ID 332558; Duck Creek:

	○ The appropriate methodology was applied. The concentration goal unit was rounded to one significant figure. For this LOE, the freely dissolved fraction was able to be calculated for quantifiable pyrethroid samples and was used to compare to the evaluation guideline. ○ The individual samples used to calculate the additive pyrethroid effect in LOE ID 332558, collected on 5/21/2019, were not flagged as needing review. The individual pyrethroid samples collected on 5/21/2019 that were flagged as "Metadata, QC record" were not used in the assessment. ○ LOE ID pairs 332558 and 332556, 332617 and 332600, and 332620 and 332613 contained data from the same stations and data references and have been merged in LOE IDs 332558, 332617, and 332620, respectively. ○ The Decision remains "List."
19.53	**H: Comment Category Subtopic:** Aluminum Assessments **Commenter:** Central Valley Clean Water Association **Comment Summary:** There are two new listings decisions for aluminum, one based on total aluminum data from 2007-2010 (Decision ID 156968 for Grant Line Canal (in Delta Waterways, southern portion)) and the other based on dissolved aluminum data from 2017-2018 (Decision ID 159502 for Duck Creek (San Joaquin County)). Notably, Decision ID 159502 cited data (Ref No. 6224) that does not include pH or TOC values used to calculate bioavailable aluminum, and the listing does not provide the default values they used in lieu of actual pH or DOC data. Those values are needed to verify the exceedances that form the basis for the listing. Of the three dissolved aluminum results, two are DNQ. CVCWA requests that the State Water Board consider whether these listings meet the requirements of Table 3.1 of the Listing Policy, given the small sample size and the outdated nature of the data cited in the LOEs. **Response:** For context, Decision ID 156968 is not a brand new decision, but rather a decision associated with a waterbody segment that was newly mapped during the development of the 2026 California Integrated Report, based on the work done during the Sacramento-San Joaquin Delta remapping project. More information about the Sacramento-San Joaquin Delta remapping project can be found in section 6.1 in the Draft 2026 California Integrated Report Staff Report.

	The only LOE available for Decision ID 156968 is LOE ID 321755, which includes data that were previously assessed as LOE ID 62742 in the 2016 Integrated Report. LOE ID 62742 has been retired and replaced with LOE ID 321755 to match the name of the revised waterbody segment following the Sacramento-San Joaquin Delta remapping project. The data were not reassessed as part of the 2026 California Integrated Report. Data included within Decision ID 156968 and any new data submitted to the State Water Board will be assessed in the 2028 California Integrated Report, when the Sacramento-San Joaquin Delta sub-area of the Central Valley Regional Water Board is on-cycle. Regarding Decision ID 159502, the commenter is incorrect that the decision is based only on dissolved fraction aluminum data. Decision ID 159502 is based only on total fraction aluminum data and the dissolved fraction aluminum data are insufficient to determine impairment and are included for transparency. The commenter is correct that there are no pH or DOC data associated with the aluminum data included in the data reference (ref6224) and that default values were used to calculate the aluminum criterion. These default values were provided in Table 3-1: Total Hardness, DOC, and pH Default Values for each Level III Ecoregion, on page 52 in the Draft 2026 California Integrated Report Staff Report (https://www.waterboards.ca.gov/water_issues/programs/tmdl/2025_2026state_ir_reports/draft-2026-integrated-report-staff-report.pdf). The data assessed for Decision ID 156968 and 159502 indicate that the waterbody segments are impaired per section 3.1 of the Listing Policy.
19.11; 19.30; 19.31; 19.32; 19.33; 19.34; 19.35; 22.06; 22.07; 24.05; 24.06; 24.07; 24.15;	**I: Comment Category Subtopic:** Tissue Assessments **Commenter(s):** Central Valley Clean Water Association, Sacramento Stormwater Quality Partnership, City of Stockton and County of San Joaquin **Comment Summary:** The commenters raised concerns on various components of the 2026 California Integrated Report fish and shellfish tissue matrix assessments. A summary of the comments on tissue assessments includes the following: 1. Request for more information on the modified OEHHA Fish Contaminant Goals (“modified FCGs”) used as evaluation guidelines for fish and shellfish tissue assessments.

24.21; 24.22;	2. The appropriate application of OEHHA Screening Levels as an evaluation guideline for fish and shellfish tissue assessments. 3. The use of older and/or missing data for fish and shellfish tissue assessments and the Sacramento-San Joaquin Delta remapping project. 4. Request for more information on the shellfish dry weight and wet weight calculations required for comparison of data with the evaluation guideline and studies associated with the data. 5. Concerns about the conversion of total arsenic to inorganic arsenic and possible sample calculation errors. 6. Review of data and references. Commenters stated it is not reasonable to expect stakeholders to review data and references to determine if screening values have been interpreted and applied correctly in Waterbody Fact Sheets. **Response:** Changes were not made in response to these comments. The waterbody segments associated with these comments were remapped during the 2026 California Integrated Report as part of the Sacramento-San Joaquin Delta remapping project. Data within the revised waterbody segments were not reassessed. More information about the Sacramento-San Joaquin Delta remapping project can be found in section 6.1 in the Staff Report. Existing data and any new data submitted to the State Water Board will be assessed in the 2028 California Integrated Report, when the Sacramento-San Joaquin Delta sub-area of the Central Valley Regional Water Board is on-cycle. Several of the concerns raised by the commenters will be verified and, if appropriate, corrected during the 2028 Integrated Report. Additional responses to the corresponding items are: 1. A description of how the modified FCGs were developed for fish tissue is available in section 3.7 of the 2026 California Integrated Report Staff Report. An explanation for the calculation of the shellfish modified FCGs was added to the 2026 Integrated Report Staff Report. Shellfish modified FCGs were developed similarly to those for fish, with the exception that shellfish use the consumption rate of 21 grams/day instead of the 32 grams/day used for fish. The consumption rate of 21 grams/day was selected for shellfish from the California Lakes Study and reflects the lower consumption of shellfish compared with fish. Additionally, modified FCGs for fish and shellfish tissue, beginning with the 2012 California Integrated Report, are based on reference doses and oral cancer slope factors. The reference doses and cancer slope factors were obtained from the following sources:

	• USEPA 2000 (https://www.epa.gov/sites/default/files/2015-06/documents/volume1.pdf) • OEHHA 1999 (https://oehha.ca.gov/sites/default/files/media/downloads/water/public-health-goal/hepandox.pdf) • OEHHA 2005 (https://oehha.ca.gov/sites/default/files/media/downloads/crnr/may2005hotspots.pdf) Note that several LOEs incorrectly cite to OEHHA (2004) as the reference for an evaluation guideline. This error will be corrected in a future integrated report. While OEHHA (2005) is a technical support document for assessing cancer risk from air exposure, it contains oral cancer slope factors. • OEHHA 2008 (https://oehha.ca.gov/sites/default/files/media/downloads/fish/report/atlmhgandothers2008c.pdf) • OEHHA 2011 (https://oehha.ca.gov/sites/default/files/media/downloads/fish/report/pbdes052311.pdf.) The evaluation guideline language for each pollutant provides the references that contain the information needed (e.g., FCG equation, cancer slope factor, PAH potency, etc.) for the calculation of the modified FCG. The modified FCGs for carcinogens use an exposure duration and averaging period that consists of a 30-year exposure over a 70-year lifetime. Inclusion of these variables considers that consumers will be exposed over a 30-year period during a 70-year lifetime. The samples do not need to occur over the entire length of the 70-year averaging period. Additionally, in response to several comments, the OEHHA ATLs (OEHHA 2008) are not used for integrated report tissue assessments. The ATLs are used by OEHHA in the development of fish advisories for waterbodies. ATLs are based on a 1-in-10,000 risk level for cancer, while the FCGs are based on the 1-in-a-1,000,000 risk level. ATLs also provide multiple consumption rates while the FCGs are based on the consumption rate of 32 grams/day. 2. The current fish and shellfish tissue evaluation guidelines are based on modified OEHHA FCGs, which have been used since the 2012 Integrated Report. The modified FCGs are appropriate evaluation guidelines for tissue as they meet the requirements listed in section 6.1.3 of the Listing Policy. The modified FCGs allow for the identification of pollutant concentrations of human health concern in waterbody segments; however, they are not used for consumption advisories.

	Commenters correctly noted there are LOEs based on outdated OEHHA screening values from the California Lakes Study (ref449 [https://www.waterboards.ca.gov/water_issues/programs/tmdl/records/state_board/2006/ref449.pdf]) as evaluation guidelines. As described above, data in these LOEs were not assessed as part of the 2026 California Integrated Report although waterbody boundaries were modified as part of the remapping project. Data in these LOEs will be reassessed using the modified FCGs during the development of the 2028 California Integrated Report. The California Lake Study is also used as the source of the human consumption rate (21 grams/day) for shellfish. As described above, assessments of shellfish data during the 2026 California Integrated Report used this rate in the calculation of the evaluation guideline based on the modified OEHHA FCG. Additionally, a commenter incorrectly asserted that the California Lakes Study does not provide a screening value for arsenic, while OEHHA 2008 provides a screening value of 1 ppm. The commenter has this reversed as the screening value of 1 ppm is from the California Lakes Study and OEHHA 2008 does not provide a screening value for arsenic. The CHHSLs cited by commenters are soil screening levels and were not used as evaluation guidelines for integrated report assessments. 3. The Listing Policy generally does not limit the age of data included in assessments. Please see Comment Category 4B for an explanation of the treatment of older data in integrated report assessments. Older data assessed in a prior cycle was included in the Sacramento-San Joaquin Delta remapping project, and as a result appear to be new assessments for the 2026 California Integrated Report. Additionally, a commenter noted that the Smallmouth Bass included in LOE 321542 were not available in the referenced dataset. However, the Smallmouth Bass were included in ref 2927. 4. For LOEs that commenters noted as having incorrect conversions for dry to wet weight, a more complete SFEI dataset will be used to determine if corresponding moisture results are available to determine the wet weight of samples and also to verify the correct number of samples and exceedances during the development of the 2028 Integrated Report. Additionally, the assessment is based on a comparison of the results to an evaluation guideline protective of human health. The

assessment is not based on comparability with results that may indicate a lack of bioaccumulation (SFEI 1996 [https://www.sfei.org/sites/default/files/biblio_files/1996_RMP_Annual_Report.pdf] or results from “pristine” locations (Johns and Luoma. U.S. Geological Survey. Arsenic in Benthic Bivalves in San Francisco Bay and the Sacramento/San Joaquin Estuary River Delta. 1990 Elsevier Science Publishers B.V.)

5. The preferred form of arsenic data is inorganic, as stated by USEPA 2000 (https://www.epa.gov/sites/default/files/2015-06/documents/volume1.pdf). Inorganic arsenic is the more toxic form of arsenic and exposure is associated with cancer and non-cancer impacts to health (USEPA 2025 [https://iris.epa.gov/static/pdfs/0278tr.pdf].) However, much data are received as total arsenic and must be converted to inorganic arsenic for assessment. Ten percent is the conversion factor used to convert total arsenic concentrations to inorganic arsenic concentrations. This conversion factor is a conservative estimate and recognizes the variability in total arsenic to inorganic arsenic ratios that exist in fresh water, saline water, fish, shellfish, differing trophic levels, and differing levels of contamination. The variability is exemplified in marine fish and shellfish by the wide range of ratios such as the following:

    - 0-44 percent (Edmonds and Francesconi 1993 as cited in USEPA 2000 (https://www.epa.gov/sites/default/files/2015-06/documents/volume1.pdf))
    - 10 percent (De Gieter et al 2002; Goessler et al 1997; Johnson and Roose 2002; Ochsenkuhn-Petropulu et al 1997 as cited in USEPA 2003 [https://nepis.epa.gov/Exe/ZyNET.exe/P1002YTX.TXT?ZyActionD=ZyDocument&Client=EPA&Index=2000+Thru+2005&Docs=&Query=&Time=&EndTime=&SearchMethod=1&TocRestrict=n&Toc=&TocEntry=&QField=&QFieldYear=&QFieldMonth=&QFieldDay=&IntQFieldOp=0&ExtQFieldOp=0&XmlQuery=&File=D%3A%5Czyfiles%5CIndex%20Data%5C00thru05%5CTxt%5C00000019%5CP1002YTX.txt&User=ANONYMOUS&Password=anonymous&SortMethod=h%7C-&MaximumDocuments=1&FuzzyDegree=0&ImageQuality=r75g8/r75g8/x150y150g16/i425&Display=hpfr&DefSeekPage=x&SearchBack=ZyActionL&Back=ZyActionS&BackDesc=Results%20page&MaximumPages=1&ZyEntry=1&SeekPage=x&ZyPURL])
    - 1-20 percent or <1% (ATSDR 2005; NAS 2001; Francesconi and Edmonds 1997; US Food and Drug Administration 1993; Washington State Department of Ecology 2002 as cited in ATSDR 2008 [https://doh.wa.gov/sites/default/files/legacy/Documents/Pubs/334-166.pdf])

	• <10 percent (Schoof and Yager 2007; de Rosemond et al 2008 as cited in Tanamal et al 2021 [https://doi.org/10.1080/10807039.2020.1799187]) The commenter cites Pei et al 2019 (https://pubmed.ncbi.nlm.nih.gov/30832351/) as a possible source for a conversion value; however, the value is based on the freshwater Tilapia and is not appropriate for use with shellfish data. If a lower conversion such as one percent were used, the Sacramento River (in Delta Waterways, northern and western portions) waterbody segment would still remain listed for arsenic. 6. Please see Comment Category 4A for more information on data and process transparency.
24.08	**J: Comment Category Subtopic:** USEPA Aquatic Life Benchmarks **Commenter(s):** Sacramento Stormwater Quality Partnership **Comment Summary:** USEPA Office of Pesticide Programs ("OPP") Aquatic Life Benchmarks ("ALBs") are not appropriate for use as water quality objectives to determine impairments. OPP benchmarks are not developed by USEPA as actionable thresholds, have not been adopted by the State of California as water quality objectives, and should not be used as evidence that a water quality standard has not been met. Impairment listings should not be based solely on comparisons of water quality monitoring data to OPP benchmarks. The Partnership requests that USEPA OPP Aquatic Life Benchmarks be used only as secondary backup for other, primary evidence of water quality impairments in the Draft 2026 California Integrated Report datasets. **Response:** USEPA ALBs are valid evaluation guidelines to interpret narrative water quality objectives. Section 6.1.3 of the Listing Policy states that "narrative water quality objectives shall be evaluated using evaluation guidelines" and provides requirements for selection of numeric evaluation guidelines. The requirements specify that the evaluation guidelines must be applicable and protective of the beneficial use, linked to the pollutant under consideration, scientifically based and peer reviewed, well described, and identify a range above which impacts occur and below which no or few impacts are predicted. OPP's ALBs meet Listing Policy requirements and are appropriate to use as evaluation guidelines to interpret the narrative objective for determination of impairment. ALBs are based on toxicity values from scientific

	studies reviewed by USEPA and are utilized in the USEPA risk assessment process for pesticides. ALBs are an estimate of a pesticide concentration below which there is not expected to be a risk of concern to aquatic life. Chronic and acute benchmarks were available for nonvascular and vascular plants, invertebrates, and fish. The lowest of the available thresholds for a pesticide was selected as the evaluation guideline for assessment of data.
19.01; 20.01; 21.01; 22.01; 22.03; 24.01; 29.01	**K: Comment Category Subtopic:** Statements of Support **Commenter(s):** Central Valley Clean Water Association, City of Lathrop, City of Roseville, City of Stockton and County of San Joaquin, Sacramento Stormwater Quality Partnership, California Stormwater Quality Association **Comment Summary:** The commenters state their appreciation for the opportunity to provide comments on the proposed Clean Water Act section 303(d) list for the 2026 California Integrated Report. **Response:** Comment noted.
31.03(b)	**L: Comment Category Subtopic:** Request for Water Quality Sampling to Prioritize TMDLs **Commenter(s):** Save California Salmon **Comment Summary:** The commenter states water temperature thresholds, oxygen levels, sediments, and turbidity need to be seriously considered for each waterbody where salmon are going extinct. The commenter has concerns about pollutants that are most harmful to salmon, such as copper, and claims copper is not being tested for in areas where there are documented impairments. The commenter specifies two areas of concern in relation to salmon: Sacramento River and Smith River. The commenter urges the State Water Board to identify where additional quality testing can be used to monitor water quality parameters and pollutants to aid in assessments and TMDL creation in salmon habitats. **Response:** The Listing Policy specifies data assessment decisions be based upon an evaluation of all readily available data. Although the integrated report program does not conduct monitoring, monitoring programs do consider the data in the integrated report and a waterbody's listing status in setting monitoring priorities. New data will be assessed as they become available. Comments regarding TMDL

	priorities are taken during the Triennial Review process of the Central Valley Basin Plan. The Central Valley Regional Water Board recommends signing up for updates on the Triennial Review process using the following sign-up link: https://public.govdelivery.com/accounts/CAWRCB/subscriber/new?qsp=central_valley Please also refer to the North Coast Regional Water Board response to Comment Category Subtopic 6D: Request for Water Quality Sampling to Prioritize TMDL
19.24; 19.25; 19.27; 23.02; 23.03	**M: Comment Category Subtopic:** Secondary Maximum Contaminant Levels ("SMCLs")– Lower San Joaquin River Salt Site Specific Objectives and QAPP concerns **Commenter(s):** Central Valley Clean Water Association, City of Turlock **Comment Summary:** The commenter states inappropriate water quality objectives were applied in the proposed listing for specific conductivity [(equal to electrical conductivity ("EC")] at 25°C) in Decision ID 165501 for the San Joaquin River (between the Tuolumne River and the Stanislaus River). The water quality objectives used in the decision include a SMCL range from 900 to 1,600 µS/cm as an annual average for the protection of the MUN beneficial use, and another range from 700 to 1,000 µS/cm for the protection of the AGR beneficial use. The commenter states that the appropriate water quality objectives that should be applied are the adopted water quality objectives for the Lower San Joaquin River ("LSJR"), which are a monthly average of 1,550 µS/cm in most years, and an annual average 2,200 µS/cm in extended dry periods to protect AGR and MUN uses, respectively. Due to this error, the commenter requests the State Water Board revisit all the twenty proposed specific conductivity listings. Additionally, the commenter states the data presented in Reference 2559 collected between the years 1995 and 2002 predate the QAPP associated with the project. Some data is also categorized as "Historical, no supporting QC data." It is unclear whether these data meet the requirements of section 6.1.4 of the Listing Policy and the data should not be considered.

	Response: Changes were made in response to the comments. Please reference Response to Comments Appendix A: Comprehensive List of Revised CalWQA Decisions for final CalWQA Decisions associated with the comments addressed in this response. In 2022, the Central Valley Regional Water Board began limiting the period of record for the reassessment of specific conductivity data to the period after January 1, 2020, for the following waterbody segments and the compliance points at Crows Landing and Maze Road: • San Joaquin River (Merced River to Tuolumne River) (WBID: CAR5440000020021002100850) • San Joaquin River (Tuolumne River to Stanislaus River) (WBID: CAR5353000020041020143854) This was done to reflect changes made under the Grasslands Bypass Project, which eliminated discharges of irrigation return flows into the San Joaquin River on January 1, 2020. Please reference section 6.1.5.3 of the Listing Policy for more information on assessing data following a change of management practice(s). Data for specific conductivity collected in the Lower San Joaquin River prior to the elimination of the irrigation return flows are no longer representative of the current conditions and no longer accurately reflect water quality in these two waterbody segments. As a result, the following specific conductivity LOE IDs were removed in response to these comments: 330226, 330232, 330237, 332770, 332772, 332790, 332811, 23331, and 332745. The commenters are correct that the wrong water quality objective was used for LOEs for the San Joaquin River (Friant Dam to Mendota Pool). The incorrect LOEs were removed and replaced with LOEs using the correct water quality objective for electrical conductivity of 1500 µS/cm. This resulted in the following changes: • Decision ID 165488 for San Joaquin River (Friant Dam to Mendota Pool), the final listing determination of “Do Not List” remained unchanged. • Decision ID 165501 for San Joaquin River (Tuolumne River to Stanislaus River) was revised from a “List” to a “Do Not List” • Decision ID 165487 for San Joaquin River (Merced River to Tuolumne River) was revised from a “Do Not Delist” to a “Delist.”

	All remaining waterbody segments with a specific conductivity listing mentioned in these comments used the correct water quality objectives. Regarding the issue with data not having an associated QAPP, upon review of the data and QAPP information, compliance with section 6.1.4 of the Listing Policy could not be determined for data reference 2559. These data have been removed from the 2026 California Integrated Report and removed from any reassessments of data to the updated Central Valley Regional Water Board Basin Plan guidance for SMCL constituents. Furthermore, data from references 2437 and 2493 have also been removed from the reassessments of SMCL constituents for similar reasons. Data from references 2437, 2493, and 2559 will be re-considered during a future listing cycle if the data are confirmed to be of sufficient quality. Additionally, please note that comment 19.27 identifies decision IDs for BCEs, not specific conductivity as indicated in the comment letter. Comment 19.27 did not provide a specific request related to BCE assessments. Please reference Comment Category 1 for responses specific to BCE comments received and note that some of the decisions identified in Comment 19.27 have been revised consistent with the response discussed in Comment Category 1 Subtopic G: The CSCI and Central Valley Floor Streams.
19.17; 24.18	**N: Comment Category Subtopic:** Decision ID 156847 - Dieldrin - Sacramento River (in Delta Waterways, northern and western portions) **Commenter(s):** Central Valley Clean Water Association, Sacramento Stormwater Quality Partnership **Comment Summary:** Comments were received on multiple issues regarding Decision ID 156847 for dieldrin in the Sacramento River (in Delta Waterways, northern and western portions). LOE ID 321537 specifies one exceedance of one sample based on five identical records with unique tissue identifications. The detection limit was greater than the evaluation guideline for all five records. LOE ID 321538 specifies five tissue-based exceedances based on data from 2005. The study report associated with the data note that while the data exceeded the screening values, there were limited data for trophic level three organisms and that more data was needed in order to determine risk to waterbodies. LOE ID 321442

	contains an error referring to DDT and the ten exceedances of the modified OEHHA Fish Contaminant Goal cannot be replicated due to missing percent moisture for four samples. **Response:** Changes were not made in response to these comments. Decision ID 156847 for dieldrin in the Sacramento River (in Delta Waterways, northern and western portions) will remain "List". This waterbody segment was remapped during the 2026 California Integrated Report as part of the Sacramento-San Joaquin Delta remapping project. Data within the revised waterbody segment were not reassessed. More information about the Sacramento-San Joaquin Delta remapping project can be found in section 6.1 in the Staff Report. Existing data and any new data submitted to the State Water Board will be assessed in the 2028 California Integrated Report, when the Sacramento-San Joaquin Delta sub-area of the Central Valley Regional Water Board is on-cycle. Additionally, LOE ID 321537 is based on one composite sample that is composed of five Sacramento sucker fish fillets and so is reported as one result in the LOE, as seen by all five fish fillets having the same composite sample ID in column L in data ref4959. The sample was above the reporting limit, and the reporting limit was above the evaluation guideline. As a result, the sample exceeded the OEHHA Fish Contaminant Goal for dieldrin in fish tissue. Regarding LOE ID 321538, the commenter is correct that the data from 2005 are not in Reference No. 2757. As a result, this LOE will be reviewed during the 2028 Integrated Report, when the Sacramento-San Joaquin River Delta is on-cycle, to determine if samples from 2005 have been erroneously associated with the decision. Additionally, LOE ID 321442 will be reviewed during the 2028 California Integrated Report using a more complete dataset to determine if corresponding moisture results are available to determine the wet weight of samples for comparison with the modified OEHHA Fish Contaminant Goal. The erroneous DDT language will be removed during the 2028 California Integrated Report as well. Please see Comment Category 7I for the response to the use of OEHHA screening values for assessments.

19.14, 24.16	**O: Comment Category Subtopic:** Decision 156842 – Chlordane – Sacramento River (in Delta Waterways, northern and western portions) **Commenter(s):** Central Valley Clean Water Association, Sacramento Stormwater Quality Partnership **Comment Summary:** The commenter states that the LOE ID 321440 summation using either the five specified compounds or the "Sum of Chlordanes (SFEI)" values does not exceed the applied threshold in any of the 16 samples when adjusting the reported dry weight for percent moisture. Several of these samples are also missing the percent moisture for a sample collected on that day (1993-10-07, 1994-05-06, 1994-09-14, and 1996-05-02) and the total number of samples is thus twelve. LOE ID 321531 does not include data for the referenced 2005 samples as the data provided are not more recent than 2004. The commenters request that the listing be removed because the information provided does not demonstrate an impairment or exceedance of the applied evaluation guideline. Additionally, the commenter states that the waterbody segment is proposed for listing due to the addition of the data from 1990s and the remapping project for the Sacramento-San Joaquin Delta. **Response:** Changes were not made in response to this comment. Decision ID 156842 for Chlordane in the Sacramento River (in Delta Waterways, northern and western portions) will remain "List." This waterbody segment was remapped during the 2026 California Integrated Report as part of the Sacramento-San Joaquin Delta remapping project. Data within the revised waterbody segment were not reassessed. More information about the Sacramento-San Joaquin Delta remapping project can be found in section 6.1 in the Staff Report. Existing data in LOE 321440 and any new data submitted to the State Water Board will be assessed in the 2028 California Integrated Report, when the Sacramento-San Joaquin Delta sub-area of the Central Valley Regional Water Board is on-cycle. The data in LOE ID 321440 will be reviewed using a more complete SFEI dataset to determine if corresponding moisture results are available to determine the wet weight of samples and also to verify the correct number of samples and exceedances. Additionally, LOE ID 321531 will be reviewed to determine if samples from the year 2005 have been erroneously associated with this decision. Please see Comment Category 4B regarding the inclusion of older data in the Draft 2026 Integrated Report.

19.18; 24.20	**P: Comment Category Subtopic:** Mercury Total Maximum Daily Load Status **Commenter(s):** Central Valley Clean Water Association, Sacramento Stormwater Quality Partnership **Comment Summary:** Sacramento River (in Delta Waterways) is listed for mercury based on one LOE ID 321563 from a total of twenty-two LOEs. The data used for LOE ID 321563 is from 1992-1993, 1996-1999, and 2001-2002 fish tissue monitoring. The Sacramento River within the Sacramento-San Joaquin Delta is currently listed as impaired for methylmercury and is addressed by a completed TMDL and the Delta Mercury Control Program. This listing should be removed, or at a minimum, recategorized in Category 4a as already addressed by a TMDL approved by the State Water Board and USEPA. **Response:** Changes were made in response to this comment. Please reference Response to Appendix A: Comprehensive List of Revised CalWQA Decisions for final CalWQA Decisions associated with this comment. The commenter is correct that the impairment for mercury in the Sacramento River (in Delta Waterways, northern and western portions) is being addressed by the Sacramento-San Joaquin Delta Methylmercury TMDL and the Mercury Control Program. In response to this comment, Decision ID 165439 was revised from “List on 303(d) list (TMDL required)” to “List on 303(d) list (being addressed by U.S. EPA approved TMDL)” placed in Category 4a. The Sacramento River within the Sacramento-San Joaquin Delta was remapped during the 2026 California Integrated Report as part of the Sacramento-San Joaquin Delta remapping project. More information about the Sacramento-San Joaquin Delta remapping project can be found in section 6.1 in the Staff Report. As part of the remapping project, LOE ID 321563 was added to Decision ID 165439 Sacramento River (in Delta Waterways, northern and western portions) for mercury. Data within the revised waterbody segment were not reassessed. Existing data and any new data submitted to the State Water Board will be assessed in the 2028 California Integrated Report, when the Sacramento-San Joaquin Delta sub-area of the Central Valley Regional Water Board is on-cycle. Please see Comment Category 4B Subtopic Assessments of Older Data for more information on the use of older data in the 2026 Integrated Report.

22.05	**Q: Comment Category Subtopic:** Bear Creek (San Joaquin and Calaveras Counties; outside Delta Waterways) and Chlorpyrifos **Commenter(s):** City of Stockton and County of San Joaquin **Comment Summary:** The Decision ID 159621 for chlorpyrifos in Bear Creek (San Joaquin and Calaveras Counties; outside Delta Waterways) was revised from "Do Not List " (2020-2022) to "List " (2026). In total, three lines of evidence were used to assess this waterbody - pollutant combination and the decision to list is based on exceedances that occurred 15-20 years ago (1 exceedance in 2005 and 3 exceedances in 2011). The commentor states that significant statewide and federal actions have curtailed or eliminated the use of chlorpyrifos, which qualifies as a management practice that has resulted in the change of a waterbody segment and that only the last 10 years of data be used to characterize the current condition of Bear Creek. **Response:** As the commentor states, the 2020-2022 California Integrated Report Decision ID 118964 identified for chlorpyrifos in Bear Creek was "Do Not List." The following language was added in the decision relationship for the 2020-2022 California Integrated Report: "Data for this waterbody segment has been considered; however, there is insufficient information to determine beneficial use support for the large and complex Delta subarea. Decisions regarding the Delta subareas will be phased out of the integrated report during future listing cycles and data will be reevaluated as part of localized assessments where data is more representative of water quality in the described segment. Due to this change, new decisions for the Delta subareas will not be assessed for the 2020-2022 cycle. Decisions regarding the beneficial use support of individual waterbody segments within the Delta will be made during a future listing cycle." Decision ID 159621 for Bear Creek (San Joaquin and Calaveras Counties; outside Delta Waterways) was reassessed for the 2026 California Integrated Report. It is not a new decision, but rather a decision associated with the work done during the Sacramento-San Joaquin Delta remapping project. The remapping project correctly placed Bear Creek (San Joaquin and Calaveras Counties; outside Delta Waterways) outside of the Delta Waterways which resulted in an LOE being placed on the correct waterbody segment. The data for the remapped Bear Creek (San Joaquin and Calaveras Counties; outside Delta Waterways) indicate the waterbody segment is impaired for chlorpyrifos. Three of the 34 samples exceed the water quality objective for the COLD beneficial use and this exceeds the allowable frequency listing in Table 3.1 of the Listing Policy.

	More information about the Sacramento-San Joaquin Delta remapping project can be found in section 6.1 in the 2026 California Integrated Report Staff Report. The commenter is correct that the use of chlorpyrifos has been curtailed or eliminated. Since the ban on chlorpyrifos in 2005 for urban use, declines in exceedances have been observed in other waterbodies. Additionally, on January 1, 2021, chlorpyrifos was banned for agricultural use. While it is likely the ban on chlorpyrifos for urban and agricultural uses will continue to decrease that number of exceedances in California's waterbody segments, additional data and information is needed to confirm this assumption.
31.01	**R: Comment Category Subtopic:** McCloud River Assessments **Commenter(s):** Save California Salmon **Comment Summary:** The McCloud River was not included in the 2026 California Integrated Report data despite its importance to the Winnemem Wintu Tribe who are currently engaging in salmon restoration efforts. It is vital that McCloud River be considered for temperature, pesticide, turbidity, and sediment impairments to ensure the recovery of salmon populations. **Response:** The commentor is correct, the McCloud River was not included in the 2026 California Integrated Report. While the integrated report accepts new data at any time, assessments are only made during on-cycle years, or every six calendar years. McCloud River assessments for the Sacramento River Basin were last made in the 2024 California Integrated Report and will be on-cycle for the 2030 California Integrated Report. Please see section 1.4 and section 6 of the 2026 California Integrated Report Staff Report for more information regarding the "on cycle," "off cycle," and rotating basin approach.
31.02	**S: Comment Category Subtopic:** Battle Creek Assessments for Turbidity **Commenter(s):** Save California Salmon **Comment Summary:** In the 2020 – 2022 California Integrated Report responses to comments, it was noted that sufficient information was not available to identify a numeric turbidity threshold that indicates an

	adverse effect on beneficial uses as a result of salmon and steelhead sensitivity to turbidity. The 2026 California Integrated Report should reconsider turbidity concerns for salmonids through conducting an up-to-date literature review for Battle Creek. **Response:** Changes were not made in response to this comment. The commenter is correct that a literature review was conducted during the 2020 – 2022 California Integrated Report and the studies did not agree upon an appropriate evaluation guideline to interpret the narrative water quality objective for turbidity in Battle Creek that indicates an adverse effect on beneficial uses. The Central Valley Regional Water Board continues to research impacts to salmonids from turbidity in Battle Creek and the commenter is welcomed to submit additional literature for review. When sufficient information is available, the data will be assessed. Additionally, the commenter may request a site-specific objective for Battle Creek through the Triennial Review of Water Quality Standards for the Central Valley Regional Water Board process. A list of items available for public notice can be found of the Basin Plan webpage at Basin Planning - Triennial Reviews In Progress | Central Valley Regional Water Quality Control Board (https://waterboards.ca.gov/centralvalley/water_issues/basin_plans/triennial_reviews/)
19.20; 19.21; 19.22; 19.23; 19.26; 19.29; 22.12; 23.01	**T: Comment Category Subtopic:** Data evaluated incorrectly during reassessment **Commenter(s):** Central Valley Clean Water Association, City of Stockton and County of San Joaquin, City of Turlock **Comment Summary:** Previously assessed data were evaluated incorrectly during reassessment according to updated Basin Plan guidance for secondary MCL constituents. Errors were caused by the presence of an unrecognized character in the data files. Data should be re-evaluated, the errors should be corrected, and listing recommendations should be revised. **Response:** Changes were made in response to these comments. Please reference Response to Comments Appendix A: Comprehensive List of Revised CalWQA Decisions for final CalWQA Decisions associated with this comment.

	Commenters are correct that data were evaluated incorrectly due to errors caused by an unrecognized character present in the source data files. The error in data evaluation resulted in many samples being incorrectly counted as exceeding applicable water quality objectives for the MUN beneficial use and several waterbody pollutant combinations being incorrectly proposed to be added to the 303(d) list as impaired. Data that were reassessed according to updated Basin Plan guidance for secondary MCL constituents were reviewed and this error was corrected. Decision recommendations have been updated and proposed listings resulting from this error have been revised from “List” to “Do Not List.”
19.15; 24.17	**U: Comment Subcategory Topic:** Decision ID 169193 (DDT - Sacramento River (in Delta Waterways, northern and western portions) **Commenter(s):** Central Valley Clean Water Association, Sacramento Stormwater Quality Partnership **Comment Summary:** The commenter states that Decision ID 169193 is based on incorrect calculations, an old non-representative dataset, data that are qualified, calculations that cannot be replicated, or refers to data that are not provided. The commenter requests that the recommendation to list DDT for the waterbody segment be removed for the following reasons: • LOE ID 321448 is based on data multiple decades old and when considering data qualifications and conversion from dry weight to wet weight, exceedances are reduced to three instead of the seven noted in the LOE. • LOE ID 321534 is based on data from the 1990s and should include a total of seven samples. • LOE ID 321535 is based on exceedances of the tissue evaluation guideline using data from 2005. The study report associated with the data for LOE ID 321535 noted that while the data exceeded the screening values, there were limited data for trophic level three organisms and that more data were needed in order to determine risk to waterbodies. • LOE ID 321531 is based on samples that are reported as “non-detect” (“ND”) or “detected, not quantifiable" (“DNQ”). The DDT summation provided by the San Francisco Estuary Institute (“SFEI”) also does not exceed the provided evaluation guideline in any cases. An additional commenter states that Decision ID 169193 for DDT in the “Sacramento River (in Delta Waterways)” is recommended for listing based on the addition of data that are decades old and the

	remapping of the Sacramento-San Joaquin Delta. The commenter cites LOE IDs 321537, 321538, and 321442 as associated with Decision ID 169193. **Response:** Changes were not made in response to these comments. Decision ID 169193 for DDT in the Sacramento River (in Delta Waterways, northern and western portions) will remain "List." This waterbody segment was remapped during the 2026 California Integrated Report as part of the Sacramento-San Joaquin Delta remapping project. Data within the revised waterbody segment were not reassessed. More information about the Sacramento-San Joaquin Delta remapping project can be found in section 6.1 in the Staff Report. Existing data in Decision 169193 and any new data submitted to the State Water Board will be assessed in the 2028 California Integrated Report, when the Sacramento-San Joaquin Delta sub-area of the Central Valley Regional Water Board is on-cycle. Specifically: • Data in LOE ID 321448 will be reviewed using a more complete SFEI dataset to determine if corresponding moisture results are available to calculate the wet weight of samples, to verify the correct number of samples and exceedances, and to review data for qualification issues. • LOE ID 321534 samples and exceedances will be reviewed for accuracy. • Regarding LOE ID 321535, the 2005 data are not in Reference No. 2757. During the assessment of the data during the 2028 California Integrated Report, the 2005 data will need to be located, or the decision will be revised to recognize the lack of the data set. • LOE ID 321531 includes Sacramento River Watershed Program data for chlordane and is not SFEI data for DDT. The reference associated with LOE 321531 (ref 2757) does contain 5 ND results for the station Sacramento River at Mile 44. However, these results are for the years 1998, 2000, and 2001 and the LOE indicates the data are for the year 2005. This LOE will be reviewed during the 2028 California Integrated Report, when the Sacramento-San Joaquin Delta is on-cycle, to determine if the samples from 2005 have been erroneously associated with this decision. This LOE is also included in Comment Category O. Please see Comment Category 4B regarding the inclusion of older data in the Draft 2026 Integrated Report. Additionally, LOE IDs 321537, 321538, and 321442 are associated with Decision ID 156847 for dieldrin, not DDT. Please see Comment Category 7N regarding the use of older dieldrin data and remapping of the Sacramento-San Joaquin Delta.

19.52	**V: Comment Category Subtopic:** Alkalinity Guidelines in Tuolumne County **Commenter:** Central Valley Clean Water Association **Comment Summary:** The Draft 2026 California Integrated Report recommends listing seven waterbody segments for low alkalinity based on the CCC or aquatic life chronic value. The 1986 CCC of 20 mg/L "is a minimum value except where alkalinity is naturally lower, in which case the criterion cannot be lower than 25% of the natural level." All the waterbody segments are in Tuolumne County and are likely all naturally low. There is no consideration in the listing for natural conditions, and the water quality objective is erroneously applied. All the listings are for waterbody segments that directly receive Sierra Nevada snowmelt, which is commonly known to be low alkalinity. The alkalinity reported for all the waterbody segments is within expected measurements for snowmelt over granite drainages. **Response:** Changes were not made in response to this comment. The commenter is correct that a component of the CCC evaluation guideline states that the 20,000 µg/L minimum value applies except where alkalinity is naturally lower, in which case the criterion cannot be lower than 25 percent of the natural level. To assess data based on natural conditions, USEPA recommends that a rationale be provided to identify the cause of the natural condition and why anthropogenic sources were determined to not be sources of pollutant loading. (See pages four and five of the USEPA's Information Concerning 2014 Clean Water Act Sections 303(d), 305(b), and 314 Integrated Reporting and Listing Decisions (https://www.epa.gov/sites/default/files/2015-10/documents/final_2014_memo_document.pdf). However, the rationale recommended by the USEPA and the natural alkalinity level of the waterbody segment has not been provided and is not known at this time. Therefore, the 20,000 µg/L component of the water quality objective was used for assessing alkalinity data. While the commenter's statement that snowmelt is known to be low in alkalinity is appreciated, further information and analysis are needed to confirm whether snowmelt or anthropogenic sources are the cause of lower alkalinity levels.
20.02; 20.03	**W: Comment Category Subtopic:** San Joaquin River (in Delta Waterways, southern portion) DDT and organochlorine pollutant assessments

	Commenter: City of Lathrop **Comment Summary:** The commenter has several concerns with the proposed new DDT listing for San Joaquin River (in Delta Waterways, southern portion) (Decision ID 169207) which is based on two exceedances of the tissue evaluation guideline for DDT concentrations (LOE ID 321552). The commenter requests that Decision ID 169207 be revised from "List" to "Do Not List" since the data informing the decision: 1. are considered outdated by OEHHA and do not represent current conditions; 2. data are not associated with a QAPP and do not meet data quality requirements; and 3. data are below the OEHHA advisory tissue level for the protection of the human health beneficial uses. Additionally, the commenter requests that the Central Valley Regional Water Board review data in decisions for other banned organochlorine pollutants (i.e., PCBs, Chlordane, dieldrin, PAHs, etc.) that were part of assessments that historically applied to the entire southern Delta area. The commenter highlights that these other pollutant listings should be examined to determine whether the basis for the listing is historical data that may not be relevant, are of questionable quality, or should be compared to the current OEHHA health advisory guidance. **Response:** Changes were not made in response to these comments. Decision ID 169207 for DDT in the San Joaquin River (in Delta Waterways, southern portion) remains "List." This waterbody segment was remapped during the 2026 California Integrated Report as part of the Sacramento-San Joaquin Delta remapping project. LOE ID 321552 was written to replace LOE ID 584; however, data were not reassessed. More information about the Sacramento-San Joaquin Delta remapping project can be found in section 6.1 in the Staff Report. Existing data and any new data submitted to the State Water Board will be assessed in the 2028 California Integrated Report, when the Sacramento-San Joaquin Delta sub-area of the Central Valley Regional Water Board is on-cycle. Additional responses to the corresponding concerns are as follows: 1. While analytical methods have improved since the year 2000, the Toxic Substance Monitoring Program ("TSM Program") data from 1992 and 1993 remain adequate for assessment. Please see Comment Subcategory 4B regarding the inclusion of older data in the 2026 Integrated Report.

	2. The commenter is correct that the QAPP Information field is populated with "Toxic Substances Monitoring Program 1992-93 Data Report." Although the report is the appropriate QAPP for the dataset, the report was not available in the draft 2026 Integrated Report. The report is available here: "Toxic Substances Monitoring Program 1992-93 Data Report" (https://www.waterboards.ca.gov/water_issues/programs/swamp/docs/tsm1992_1993/full_report_tsm9293.pdf), and it will be associated with LOE ID 321552 during the development of the 2028 California Integrated Report. Additionally, the data sets include method detection limits as described in the PDF titled "Internet_DatabaseDescriptions_TSM" in ref 2926. The detection limit is provided in the data column preceded by a negative (e.g., "-5") for analytes that were not detected. 3. LOE ID 321552 uses the incorrect evaluation guideline of 100 ng/g for DDT in fish tissue, which is a OEHHA Advisory Tissue Level utilized by OEHHA to determine fish consumption advisories for waterbody segments. The accurate evaluation guideline for DDT is the modified FCG of 15 ppb. Please see Section 3.7 of the 2026 California Integrated Report Staff Report for information on the modified OEHHA FCG equations used to calculate tissue evaluation guidelines. The data which support LOE 321552 will be reassessed using the OEHHA Fish Consumption Goal with modifications (15 ppb) during the 2028 California Integrated Report when the Delta sub-basin is next on cycle. Lastly, regarding listings in the San Joaquin River (in Delta Waterways, southern portion) for other banned organochlorine pollutants, FCGs are used as the current evaluation guidelines for tissue data to assess human health impacts. If there are LOEs that use outdated evaluation guidelines in these assessments, then those LOEs will be identified, the data will be reassessed using the appropriate FCG, and the decisions will be revised during the 2028 California Integrated Report which is when the Delta sub-basin is next on-cycle.

Comment Category 8: Lahontan Regional Water Board Assessments

Comment Number(s)	**Comment Category 8: Lahontan Regional Water Board Assessments**

25.01; 26.03; 36.01; 36.02	**A: Comment Category Subtopic**: Statements of support **Commenter(s):** Los Angeles Department of Water and Power; Wood Family Livestock **Comment Summary:** Commenters appreciate the draft California 303(d) list and recognize the immense amount of work required to assess large amounts of data. • Los Angeles Department of Water and Power ("LADWP") expresses appreciation to the Lahontan Regional Water Quality Control Board ("Lahontan Regional Water Board") staff for working closely with LADWP during the off-cycle period. Regional board staff were essential in assisting LADWP with removing Haiwee Reservoir (previously listed for copper) from the CWA Section 303(d) List. Additionally, LADWP supports the delisting of Tinemaha Reservoir for copper, Mono and Owens Basins waterbodies for indicator bacteria, and Crowley Lake for nitrogen and phosphorus. • Wood Family Livestock supports proposed delisting of Virginia Creek for indicator bacteria and supports the removal of fecal coliform lines of evidence in this decision. **Response:** Comments acknowledged.
25.02; 25.03	**B: Comment Category Subtopic:** Use of data not reflective of current water quality due to variable conditions and age of data. **Commenter(s):** Los Angeles Department of Water and Power **Comment Summary:** The commenter contends that only current data should be used to assess a waterbody segment citing that the hydrologic conditions of waterbody segments in Mono and Owens Valley basins are regularly affected by drastic climate changes. They argue that data collected over ten years ago do not reflect the current water quality of the waterbody segment. Specifically, the commenter asserts that dissolved oxygen, turbidity, and ammonia are affected by factors such as flow, weather (precipitation), temperature, and biological activities. These factors can fluctuate over the course of minutes to hours which results in fluctuation of dissolved oxygen, turbidity, and ammonia data. The

	commenter therefore argues that the data for these pollutants only offers a snapshot of the waterbody segment's conditions at the time of sampling. The commenter has identified LOEs that contain data that they assert are outdated (collected more than 10 years prior to 2026 California Integrated Report data solicitation cutoff date) and are likely not reflective of current hydrologic conditions. They recommend removing the identified data from assessments and postponing assessments until recent data are evaluated. **Response:** While there is inherent variability in hydrologic conditions that may affect water quality, sufficient samples were available to assess attainment of standards for these waterbody segment-pollutant combinations under sections 3.1, 3.2, 4.1, and 4.2 of the Listing Policy. Per the Listing Policy section 6.1, all readily available data must be evaluated to assess attainment of standards in developing the section 303(d) list. The Listing Policy does not allow the limitation of the use of older data for assessment purposes, except in section 6.1.5.3, which states in part that, if the implementation of a management practice(s) has resulted in a change in a waterbody segment, then only data collected since the change should be considered. (Please see response to Comment 6A for a discussion of how bacteria data collected prior to 2012 were not used so long as more recent data were available to evaluate beneficial use attainment, which is consistent with Listing Policy section 6.1.5.3). No information has been provided showing that the implementation of management practice(s) has resulted in a change in these waterbody segments. Additionally, no data collected within 10 years of the 2026 California Integrated Report data solicitation cutoff date are available for dissolved oxygen or ammonia in Crowley Lake, turbidity in LA Aqueduct Diversion, or organic enrichment/low dissolved oxygen in Pleasant Valley Reservoir, and, as such, assessments were conducted with the data available. Should future data or additional information become readily available for these waterbody segments, which could include information about a change in management practice(s), those data and/or information will be included in the assessments for these waterbody segments in a future Integrated Report. See response to Comment Category 4, Subtopic B, for information on the use of older data in assessments.
25.06	**C: Comment Category Subtopic:** Crowley Lake Dissolved Oxygen and Ammonia Assessments

	Commenter(s): Los Angeles Department of Water and Power **Comment Summary:** The commenter states that the data used to place Crowley Lake on the 303(d) list for dissolved oxygen and ammonia do not meet the QA documentation requirements outlined in section 6.1.4 of the Listing Policy. Specifically, they identify LOE IDs 739 and 740 as missing QA documentation necessary to verify data quality meets Listing Policy requirements and recommend removing Crowley Lake from the 303(d) list for both dissolved oxygen and ammonia. **Response:** A quality assurance plan for the data supporting these listings has been added to the record and included in LOE 739 and LOE 740 in response to this comment. The "List" Decisions for dissolved oxygen and ammonia in Crowley Lake were not revised.
25.07	**D: Comment Category Subtopic:** Listings not meeting Listing Policy requirement in Section 6.1.5.2. **Commenter(s):** Los Angeles Department of Water and Power **Comment Summary:** The commenter asserts that data assessed in specific pollutant listings for LA Aqueduct Diversion (Dissolved Oxygen - Decision ID 102924), Mammoth Creek (Old Mammoth Road to Highway 395) (Dissolved Oxygen - Decision ID 162315), and Owens River (Upper) (Fluoride – Decision ID 163599) are collected from one station in each waterbody segment and are not spatially representative of the waterbody segment in accordance with Section 6.1.5.2 of the Listing Policy. The commenter contends that Owens River (Upper) is 50 miles in length, which is too long to be represented by one station. They also contend that dissolved oxygen, a pollutant assessed in LA Aqueduct Diversion and Mammoth Creek (Old Mammoth Road to Highway 395), varies spatially and even though these two segments are 4 miles and 1 mile long, respectively, and it is not appropriate to use a single station in these waterbody segments to assess dissolved oxygen. The commenter recommends collecting and analyzing additional data throughout the three waterbody segments prior to listing the waterbody segments as impaired for their respective pollutants. **Response:** Changes to listing recommendations were not made in response to this comment. The Decisions remain "Do Not List" for Decision ID 102924, "Do Not Delist" for Decision ID 162315, and "List" for Decision ID 163599.

	The commenter provides no supporting documentation or evidence that the monitoring stations are not representative. Per section 6.1 of the Listing Policy, staff are required to evaluate all readily available data. The available data indicate standards are not being attained therefore listings were recommended consistent with sections 3.1 and 3.2 of the Listing Policy. Should additional data or information become readily available in future cycles for these waterbody segments, those data and any information will be evaluated in future assessments. Data from additional sampling locations can be used to assess spatial representation and inform if these waterbodies should be split into additional segments to assess waterbody standards attainment. Any additional information that demonstrates variation within a waterbody segment would also be helpful. Please see Comment Category 8 Subtopic E for more discussion on the spatial representativeness of the data reported for Decision ID 162315 and Decision ID 163599.
25.08; 25.09; 25.10; 25.11; 25.12	**E: Comment Category Subtopic:** Localized impacts **Commenter:** Los Angeles Department of Water and Power **Comment Summary:** The commenter asserts data for Hilton Creek, Horton Creek, LA Aqueduct Diversion, Mammoth Creek (Old Mammoth Road to Highway 395), McGee Creek, Pine Creek, and Owens River (Upper) should be assessed for localized land impacts. To support their recommendation, they provide examples of bacteria data collected from various stations along Horton Creek and Pine Creek. The examples show that bacteria samples collected in upstream reaches are much less likely to exceed bacteria objectives. Exceedances are observed immediately downstream of residential developments, human activity, and cattle activity. The commenter states that LA Aqueduct Diversion, Mammoth Creek (Old Mammoth Road to Highway 395), McGee Creek, and Owens River (Upper) also have sampling locations that may be affected by localized land use impacts. The commenter recommends that localized land use impacts should be considered when evaluating data, and entire waterbody segments should not necessarily be classified as impaired. Relatively small areas could be addressed by source studies and management plans. **Response:** In response to these comments, the geographic distribution of the observed exceedances in these waterbodies were evaluated and some refinements to the spatial resolution of the proposed listings

	were made as described below. Additionally, a detailed evaluation of pollutant sources and the extent of their resulting impacts is beyond the scope of the integrated report but would be done during the development of a TMDL or other restoration plan to address the impairment. Pine Creek (Inyo County): Pine Creek (Inyo County) is currently listed for indicator bacteria (Decision ID 170112). In Pine Creek (Inyo County) nearly all the *E. coli* exceedances are in the segments downstream of the station LPC 11, which is downstream of South Round Valley Road. Therefore, in response to this comment, the indicator bacteria impairment identified in the "Do Not Delist" decision applies to the segment of Pine Creek downstream of South Round Valley Road and a clarification to the spatial resolution of this listing has been included in the Waterbody Fact Sheet. Horton Creek: Horton Creek is currently listed for indicator bacteria (Decision ID 169967). In Horton Creek nearly all the *E. coli* exceedances are in the segments downstream of the stations HC4, HC5, HC6, and HC 7, all of which are along South Round Valley Road. Therefore, in response to this comment, the indicator bacteria impairment identified in the "Do Not Delist" decision applies to the segment of Horton Creek downstream of South Round Valley Road and a clarification to the spatial resolution of this listing has been included in the Waterbody Fact Sheet. Hilton Creek: Hilton Creek has existing listings for dissolved oxygen ("DO") and total dissolved solids ("TDS") with a proposed new listing for Benthic Community Effects. • Dissolved Oxygen (Decision ID 162234): Nearly all the observed DO exceedances supporting the "Do Not Delist" decision for Hilton Creek are in the most downstream site, Hilton Creek at Lake Crowley. However, due to the low number of samples collected upstream of that site, it is not possible to define the geographic extent of the impairment, and the Decision remains "Do Not Delist" for the entire waterbody segment. • Total Dissolved Solids (Decision ID 163714): The observed TDS exceedances supporting the "Do Not Delist" decision for Hilton Creek are all in the most downstream site, Hilton Creek at Lake Crowley. However, due to the low number of samples collected upstream of that site, it is not possible to define the geographic extent of the impairment, and the Decision remains "Do Not Delist" for the entire waterbody segment. • Benthic Community Effects (Decision ID 171786): While the observed exceedance supporting the Benthic Community Effects "List" decision for Hilton Creek was collected from one station, Decision ID 171786 was revised from "List" to "Do Not List" due to the presence of only one exceedance in

	the assessment. Please see Comment Category 1 Subtopic A for more details regarding the listing revision of Decision ID 171786. LA Aqueduct Diversion: LA Aqueduct Diversion is currently on the 303(d) list for turbidity (Decision ID 102925). There is only one sampling location with reported turbidity data. Therefore, it is not possible to refine the geographic extent of the impairment and the Decision remains "List" for the entire waterbody segment. Mammoth Creek (Old Mammoth Road to Highway 395): Mammoth Creek (Old Mammoth Road to Highway 395) has existing listings for manganese, mercury, DO, TDS, and a proposed new listing for fluoride. • Manganese (Decision ID 162314): the manganese exceedances in Mammoth Creek (Old Mammoth Road to Highway 395) exhibit no apparent spatial pattern. Total manganese exceedances are reported at all stations with available data. Therefore, it is not possible to refine the geographic extent of this impairment, and the Decision remains "Do Not Delist" for the entire waterbody segment. • Mercury (Decision ID 170637): Fish tissue mercury samples exceeding fish tissue objectives are present throughout Mammoth Creek (Old Mammoth Road to Highway 395). Therefore, changes to the geographic extent of the impairment were not proposed, and the Decision remains "Do Not Delist" for the entire waterbody segment. • Dissolved Oxygen (Decision ID 162315): DO exceedances in Mammoth Creek (Old Mammoth Road to Highway 395) are reported at both the downstream and upstream extents of this waterbody segment and do not exhibit a clear spatial pattern. Therefore, it is not possible to refine the geographic extent of the DO impairment, and the Decision remains "Do Not Delist" for the entire waterbody segment. • Total Dissolved Solids (Decision ID 163743): TDS exceedances in Mammoth Creek (Old Mammoth Road to Highway 395) exhibit no apparent spatial pattern. TDS exceedances are reported at all stations with available data. Therefore, it is not possible to refine the geographic extent of this impairment, and the Decision remains "Do Not Delist" for the entire waterbody segment. • Fluoride (Decision ID 163741): Fluoride exceedances in Mammoth Creek (Old Mammoth Road to Highway 395) exhibit no clear spatial pattern. Fluoride exceedances are reported at all stations with

available data. Therefore, changes to the geographic extent of the impairment are not proposed, and the Decision remains “List” for the entire waterbody segment.

McGee Creek (Mono County): McGee Creek (Mono County) is currently on the 303(d) list for phosphate (Decision ID 102552). Phosphate exceedances are reported at all two stations that have available orthophosphate data. Therefore, changes to the geographic extent of this impairment are not proposed, and the Decision remains “List” for the entire waterbody segment.

Owens River (Upper): Owens River (Upper) has an existing listing for sodium and proposed listings for boron, chloride, fluoride, and sulfates.

- Sodium (Decision ID 161627): Sodium exceedances in Owens River (Upper) are reported at both stations with available sodium data. Therefore, changes to the geographic extent of this impairment are not proposed, and the Decision remains “Do Not Delist” for the entire waterbody segment.
- Boron (Decision ID 163597): Boron exceedances in Owens River (Upper) are present at the only station with boron data available. Therefore, it is not possible refine the geographic extent of the impairment, and the Decision remains “List” for the entire waterbody segment.
- Chloride (Decision ID 163598): Chloride exceedances in Owens River (Upper) exhibit no apparent spatial pattern. Chloride exceedances are reported for all stations with available chloride data. Therefore, changes to the geographic extent of this impairment were not proposed, and the Decision remains “List” for the entire waterbody segment.
- Fluoride (Decision ID 163599): Fluoride exceedances in Owens River (Upper) are present at the only station with fluoride data available. Therefore, it is not possible refine the geographic extent of the impairment, and the Decision remains “List” for the entire waterbody segment.
- Sulfates (Decision ID 163600): Sulfate exceedances in Owens River (Upper) were reported at three of four stations with available sulfates data. There was no apparent geographic pattern to the exceedances. Therefore, changes to the geographic extent of this impairment were not proposed, and the Decision remains “List” for the entire extent of the waterbody segment.

Determining how impairments should be addressed is beyond the scope of the Integrated Report. However, should source assessments and/or management plans be developed for any of these impairments, those will be considered in prioritization of TMDL development in future Integrated Report cycles as discussed in section 2.7 of the Staff Report. Lahontan Regional Water Board staff look forward

	to the possibility of discussing the development of management plans with the commenter or other interested parties.
25.13	**F: Comment Category Subtopic:** Mono Lake Decision for Salinity, TDS, and Chlorides **Commenter(s):** Los Angeles Department of Water and Power **Comment Summary:** The commenter recommends removing the proposed 303(d) listing for salinity/TDS/chlorides for Mono Lake due to insufficient data to support the listing as required by the Listing Policy (Decision ID 80208). The commenter pointed out that Decision ID 80208 states Mono Lake was removed from the 303(d) list in 2002 and that no new information was reviewed in the current cycle, making the proposed "List" decision unclear. The commenter also pointed out that LOE ID 736 provides no data or quality assurance information, which does not meet the requirements of Listing Policy Section 6.1.4. The commenter also notes that this assessment is based on Water Rights Decision 1631 and does not contain reference to data, quality assurance documentation, or water quality objectives to support the listing. Furthermore, the commenter states that Water Rights Decision 1631 addresses lake water elevation and water flow into Mono Lake, which is independent of the 303(d) list. The commenter is unclear why Water Rights Decision 1631 is used to show impairment due to a pollutant. **Response:** Revisions to the listing status for salinity, TDS, and chlorides for Mono Lake were not made in response to this comment. However, in response to this comment, a new "Do Not Delist" (being addressed with action other than TMDL)" decision (Decision ID 172190) was created. Decision ID 172190 replaces Decision ID 80208 and provides clarity about the evidence used to support the original 1998 listing, the action being used to address the impairment, and the history of the administrative categorization of these impairments as described below. Decision 80208 was not a new listing; it was an existing Decision that had been carried over in subsequent listing cycles, as indicated by the revision status of "Original" in the Waterbody Fact Sheet. Mono Lake was first listed as impaired for salinity/TDS/chlorides in 1998. Although the listing category has changed as described below, no evidence considered for 303(d) listings has shown standards were attained since 1998. For the 2002 California Integrated Report, the Water Boards created an Enforceable Programs List for waterbodies where the "water quality standards are not met but the problem can be addressed now by another enforceable program." The water quality limited segments included on the

	Enforceable Programs List were submitted to USEPA but were not included on the 303(d) list. The Mono Lake assessment for salinity/TDS/chlorides was part of the Enforceable Programs List in 2002 because the impairment was determined to be addressed by the state's water rights order Decision 1631. Decision 1631 established conditions to increase lake level and decrease salt concentrations. It set a target lake elevation of 6391 feet to reduce the impacts from approximately 50 years of water diversions from Mono Lake inflow. Attainment of this lake level is expected to result in attainment of water quality standards for TMDL and chloride salts in Mono Lake. The target elevation was projected to be achieved approximately 20 years after the adoption of Decision 1631. In 2004, the State Water Board adopted the Listing Policy. In accordance with section 2.2 of the Listing Policy, water quality limited segments being addressed by a TMDL or by an existing regulatory program that "is reasonably expected to result in the attainment of the water quality standard within a reasonable, specified time frame" are to be included on the 303(d) list. To conform with section 2.2 of the Listing Policy, the Mono Lake assessment for salinity/TDS/chlorides was administratively moved from the outdated Enforcement Programs List to the 303(d) list and has remained on the 303(d) list since the 2006 California Integrated Report. Regarding QA documentation, at the time of the original listing in 1998 there was not a QA document requirement. Since the data and information supporting this assessment has remained unchanged since its original listing, the QA documentation requirements from 1998 remain in place. The Water Boards are required to evaluate all readily available data or information for the waterbody segment and apply Listing Policy section 4 to consider whether to delist. No new data or information was submitted for consideration for the 2026 California Integrated Report. Any data that can be submitted by the commenter is welcomed. When data and information and associated QA documentation are received, the Water Boards may evaluate those data as part of a high-priority off-cycle assessment in the 2030 California Integrated Report or for the 2032 California Integrated Report, the next time the Lahontan Regional Water Board is on-cycle. The deadline to submit data and information to be considered for the 2030 California Integrated Report is expected to be in August 2026.
26.01; 26.02; 26.07	**<u>G: Comment Category Subtopic:</u> Bridgeport Valley Indicator Bacteria Assessments and Inclusion of Legacy Fecal Coliform Water Quality Objective in Assessments**

	Commenter: Wood Family Livestock **Comment Summary:** The commenter states that while the 2026 California Integrated Report (Draft Staff Report) acknowledges the fecal coliform water quality objective is no longer valid, there are still some indicator bacteria decisions that are based on fecal coliform data. The commenter states that these decisions continue to use and reference the fecal coliform objective instead of using the statewide *E. coli* water quality objective. The commenter provides specific examples of Bridgeport Valley waterbody segments listed on the 303(d) list for indicator bacteria where the indicator bacteria decisions still include reference to the fecal coliform objective and evaluate impairment using fecal coliform data as well as *E. coli* data. The commenter also notes that these specific assessment examples should be updated to *reflect that* the 2017 General Conditional Waiver for Grazing Operations in the East Walker River Watershed was replaced in 2023 with Renewal of General Conditional Waiver of Waste Discharge Requirements Order No. R6T-2023-0006. The specific examples are as follows: • Decision ID 69082, Buckeye Creek • Decision ID 69501, East Walker River, above Bridgeport Reservoir • Decision ID 76595, Robinson Creek (Hwy 395 to Bridgeport Res) • Decision ID 76458, Robinson Creek (Twin Lakes to Hwy 395) • Decision ID 170463, Swauger Creek **Response:** The commenter is correct that the statewide *E. coli* objective is the applicable bacterial water quality objective for the Lahontan Regional Water Board. The decisions listed in this comment were reconsidered and updated using only the *E. coli* data. Additionally, the five decisions in this comment were revised to reference conditional waiver R6T-2023-0006. After removing fecal coliform LOEs from these 5 waterbodies and only considering *E. coli* data, three decisions were revised from “Do Not Delist” to “Delist” and two decisions remained “Do Not Delist.” The decisions are as follows: • Decision ID 172160 replaces Decision ID 69082 for Buckeye Creek and the decision was revised from “Do Not Delist” to “Delist.” • Decision ID 172162 replaces Decision ID 76595 for Robinson Creek (Hwy 395 to Bridgeport Res) and the decision was revised from “Do Not Delist” to “Delist.”

	• Decision ID 172164 replaces Decision ID 76458 for Robinson Creek (Twin Lakes to Hwy 395) and the decision was revised from “Do Not Delist” to “Delist.” • Decision ID 172161 replaces Decision ID 69501 for East Walker River, above Bridgeport Reservoir and the decision remains “Do Not Delist.” • Decision ID 170463 for Swauger Creek remains “Do Not Delist.” In addition to the waterbody segments listed by the commenter, staff identified indicator bacteria decisions for four additional waterbody segments in the Lahontan Region that included fecal coliform data. The fecal coliform LOEs were removed, and changes were made to Decisions. The impacted Decisions are as follows: • Decision ID 172167 replaces Decision ID 102648 for Markleeville Creek and the decision was revised from “List” to “Delist.” • Decision ID 172165 replaces Decision ID 103204 for Griff Creek and the decision was revised from “List” to “Do Not Delist.” • Decision ID 172166 replaces Decision ID 103703 for Hot Creek (Walker) and the decision was revised from “List” to “Do Not Delist.” • Decision ID 172168 replaces Decision ID 102411 for Owens River (Long HA) and the decision remains “Do Not Delist.”
26.04	**H: Comment Category Subtopic:** Robinson Creek Nitrogen **Commenter(s): Wood Family Livestock** **Comment Summary:** The commenter states that the Robinson Creek (Barney Lake to Twin Lakes) Waterbody Fact Sheet for nitrogen (Decision ID 71635) incorrectly says 4 of 4 samples exceed the nitrogen water quality objective when available lines of evidence show only 2 of 4 exceeding the objective. Additionally, the commenter questions the validity of the nitrogen water quality objective applied to Robinson Creek. They recommend that Lahontan Water Board staff confirm that this is the correct objective and that there was not an editorial issue in the past that inadvertently changed the objective from 0.50 mg/L to 0.05 mg/L. The commenter contends the following sample results of 0.086 mg/L in 2012 and 0.092 mg/L in 2014, are below the 90th percentile value of 0.10 mg/L. Finally, the commenter recommends that Decision ID 71635 be revised from “Do Not Delist” to “Delist.”

	Response: The total nitrogen water quality objective of 0.05 mg/L for Robinson Creek (Barney Lake to Twin Lakes) is the correct water quality objective for this segment. The commenter is correct that the number of exceedances present in this assessment is only two instead of what was reported (four exceedances). In response to this comment, a new decision for nitrogen in Robinson Creek (Barney Lake to Twin Lakes) (Decision ID 172170) was created to correct the number of water quality objective exceedances from four to two. This new Decision replaces Decision ID 71635. The Decision for nitrogen in Robinson Creek remains "Do Not Delist," since two exceedances of four samples is greater than the allowable exceedance frequency shown in section 3.1 of the Listing Policy.
26.05	**I: Comment Category Subtopic:** Inaccurate Decision Language **Commenter(s):** Wood Family Livestock **Comment Summary:** The commenter identifies that many Lahontan Regional Water Board waterbody fact sheets (Appendix B) where the fact sheet specifies that "[t]his region not assessed this cycle." The commenter notes that this statement is false as the entire Lahontan Regional Water Board is on-cycle for the 2026 California Integrated Report. **Response:** The commenter is correct that this statement is not accurate as readily available data for all waters in the Lahontan Region were evaluated during the 2026 California Integrated Report. The quoted statement was erroneously applied in the decision field for approximately 2,000 decisions for waterbodies in the Lahontan Regional Water Board. The statement has been removed from those decisions.
26.06	**J: Comment Category Subtopic:** Listings Made Based on Pre-2006 Data. **Commenter:** Wood Family Livestock **Comment Summary:** The commenter notes that many Decisions are made based on 2006 data that was assessed prior to 2006 and do not include any new data. They recommend that these decisions are delisted or further assessed.

	Response: The comment did not refer to specific decisions. However, many pre-2006 listings are included in the proposed 303(d) list. The Waterbody Fact Sheets for these waterbody-pollutant combinations may include proposed listing decisions of "List on 303(d) list (TMDL required list)." However, they are not new listing decisions as indicated by the decisions' revision status of "Original." The Water Boards are required to evaluate all readily available data or information for waterbody segments and apply Listing Policy section 4 to consider whether to delist. The Listing Policy does not allow the limitation of the use of older data for assessment purposes, except in section 6.1.5.3, which states in part that, if the implementation of a management practice(s) has resulted in a change in a waterbody segment, then only data collected since the change should be considered. The commenter is correct that no new data or information were submitted for consideration for the 2026 Integrated Report. When such data and information and associated QA documentation are received, the Water Boards will evaluate those data the next time the Lahontan Regional Water Board is on-cycle.

Comment Category 9: Colorado River Basin Regional Water Board Assessments

Comment Number(s)	**Comment Category 9: Colorado River Basin Regional Water Board Assessments**
27.06; 27.07; 27.08	**A: Comment Category Subtopic:** Coachella Valley Stormwater Channel WARM beneficial use evaluation guideline for pyrethroids in water. **Commenter:** Riverside County Flood Control and Water Conservation District **Comment Summary:** The commenter requests that the pyrethroids listing for Coachella Valley Stormwater Channel (Decision ID 169348) be revised from "List" to "Do not List" based on the perceived failure to fully implement the evaluation guideline. The water matrix aquatic life evaluation guideline for pyrethroids is the chronic trigger value (based on four-day average) from the Water Quality Control Plan for the Sacramento River Basin and San Joaquin River Basin ("Sacramento River and San Joaquin River Basin Plan"). The commenter asserts that the Sacramento River and San Joaquin River Basin Plan's acute trigger value (based on a one-hour average) should have been used for assessment since the two sample exceedances cited are from two individual days as opposed to two averages of samples collected

	over four days. The commenter also asserts that the trigger values allow for one exceedance in a three-year period and since the sample exceedances are six years apart "each sampling period was not, in and of itself, and exceedance." Lastly the commenter requests that the full set of calculations be provided for this decision should the decision listing recommendation remain "List." **Response**: Changes to this listing recommendation were made. In the process of considering the comment, the pyrethroids data were found to no longer be representative of current conditions in the Coachella Valley Stormwater Channel due to changes in pesticide and irrigation management practices since the data were collected. The Decision was revised from "List" to "Do Not List." The pyrethroids data available to assess attainment of water quality standards in the Coachella Valley Stormwater Channel were collected from 2005 to 2013, with the only two quantifiable samples collected more than three years apart. Since the collection of these data, the members of the Coachella Valley Irrigated Lands Coalition, as required by the Order R7-2020-0026-06 (General Waste Discharge Requirements for Dischargers that are Members of a Coalition Group in the Coachella Valley ["Order"]), have implemented management practices to regulate the discharge of sediment. One such management practice is the lengthening of time between pesticide application and irrigation. Since reporting began for the Order in 2022, between 66 and 74% of irrigated acres were reported as having lengthened the time between pesticide application and irrigation to manage sediment and erosion. Pyrethroids are a known pesticide applied by Coalition members and between 2022 and 2024 the overall pounds of pyrethroids applied by Coalition members have decreased by approximately 250 pounds as shown by available Riverside County Pesticide Use Report (PUR) data. By reducing the amount of pyrethroids applied and increasing the time between pesticide application and irrigation the possibility of transporting pesticides, including pyrethroids, from irrigated agricultural parcels to the Coachella Valley Stormwater Channel is reduced. These measures constitute a change in management practice that results in a change in the conditions of the water segment. Due to the management practice change and consistent with section 6.1.5.3 of the Listing Policy, data collected prior to the Order requiring sediment control measures were removed from the assessment. Sediment data are readily available to assess this waterbody for pyrethroids; however, the data do not exceed evaluation guidelines. The Decision was revised from "List" to "Do Not List" and to explain the removal of data collected prior to the Order. Changes to LOEs and decision language were made to clarify the data were collected prior to the management practice change.

	Regarding the commenter's concerns about the use of the pyrethroids evaluation guideline, the commenter is correct that the integrated report evaluation guideline used to assess additive pyrethroid impacts to aquatic life and attainment of the narrative toxicity water quality objective in the Colorado River Region is adapted from the pyrethroid numeric trigger value presented in the Sacramento River and San Joaquin River Basin Plan. The individual pyrethroid evaluation guidelines used to support the additive pyrethroid evaluation guideline were originally presented in a series of six updated water quality criteria reports released in 2015 that used the University of California Davis Methodology for Derivation of Pesticide Water Quality Criteria for the Protection of Aquatic Life (Tenbrook et al., 2010) to develop freshwater chronic criteria for the protection of aquatic life for pyrethroids. The commenter is also correct that the Sacramento River and San Joaquin River Basin Plan outlines both acute and chronic criteria for additive pyrethroids and states that the criteria are "not to be exceeded more than once in a three-year period." Chronic criteria are the appropriate evaluation guidelines for integrated report assessments because they are based on survival, growth, and reproduction of aquatic life and provide a way to assess for long term impacts of pollutants on organisms. The chronic criteria were not selected due to the sampling regime, but according to the level of protection provided for aquatic life. The use of exceedance frequencies for integrated report assessments is, in part, described in Issue 4A in the Functional Equivalent Document for the Water Quality Control Policy Developing California's Clean Water Act Section 303(d) List ("FED") (SWRCB 2004). Specifically, Issue 4A states, with emphasis added, that ". . . *to the extent possible*, [the Water Boards] would use the measure that corresponds directly with the duration, magnitude, *and frequency portions* of the water quality objective or criterion to represent the data set." While evaluation of data should be consistent with the expression of the criteria (e.g., an exceedance of a criterion occurs only when a sample is higher than the numeric value more than one time in a three-year period), the State Water Board in the FED recognizes that sufficient data are frequently not available, and, in these cases, the available data should be used. A summary of pyrethroids assessment methodology, including equations used, for the California 2026 Integrated Report is available in the Staff Report under Section 3.5.1 Pesticides and Other Organic Chemicals and a discussion on assessment calculation transparency, is available in Comment Category 4: Data and Process Transparency, Comment Category Subtopic A: Quantitative Analyses and Methodologies.

	Separate from the comment but related to pyrethroids in the Coachella Valley Stormwater Channel, early in the data compilation process, two LOEs were generated for each of the two data references containing water data. One LOE contained detected data and the other LOE contained unquantifiable data. The LOEs from the same data reference have been merged, the freely dissolved fraction was calculated for each merged LOE, and the data fraction shown in the merged LOE represents the reported raw data (i.e., "total fraction"), not the fraction used in the assessment. The merged LOEs are LOE 352005 with LOE 352016, and LOE 352000 with LOE 352009.
27.05	**B: Comment Category Subtopic:** Placement of the Whitewater River in Category 3 of the 305(b) report for potential exceedance of the controllable water quality objective for temperature. **Commenter:** Riverside County Flood Control and Water Conservation District **Comment Summary:** The Riverside County Flood Control and Water Conservation District ("District") claims that there are no sources of wastewater within the relevant watershed that could account for any exceedances of the temperature water quality objective. The District reviewed satellite imagery to verify the absence of wastewater discharge upstream of the monitoring stations where exceeding water temperatures were measured and submitted documentation of this review to support their claim. The District further posits that the extremely high ambient air temperature experienced by the watershed for much of the year is the likely cause of the exceeding water temperature measurements. Based on the absence of wastewater discharge and the non-controllability of ambient air temperature, the District requests that this waterbody-pollutant combination be removed from Category 3 and the Integrated Report. **Response:** Changes were made in response to this comment. Whitewater River (Decision ID 160095) has been moved to Condition Category 1. The State Water Board is required to evaluate all readily available data and information to meet CWA sections 303(d) and 305(b) requirements of reporting on water quality conditions, including readily available temperature data for Whitewater River. Therefore, Whitewater River cannot be removed from the California Integrated Report, but must be placed in one of the five Condition Categories.

	The Whitewater River was placed in Category 1 because Regional Board staff reviewed the information provided by the commenter and conducted their own internal investigation into whether there were any wastewater discharges in the Whitewater River. This investigation included verifying that there were no discharges of wastewater that could have potentially entered the Whitewater River. The findings of this investigation were that there are no discharges of waste and that temperature exceedances were not due to a wastewater discharge. Therefore, the water quality objective is deemed to be attained for purposes of the integrated report.

Comment Category 10: Comments on Assessments for Regional Water Boards Off-Cycle for the 2026 California Integrated Report

Comment Number(s)	**Comment Category 10: Comments on Assessments for Regional Water Boards Off-Cycle for the 2026 California Integrated Report**
18.01	**A: Comment Category Subtopic:** Ballona Creek Wetlands Integrated Report Condition Categorization (Los Angeles Region) **Commenter:** Ballona Wetlands Land Trust **Comment Summary:** The commenter requests clarification on the reason why Ballona Creek Wetlands is on the 303(d) list in condition category 4a, which indicates that "*A TMDL has been developed and approved by USEPA for any waterbody-pollutant combination, and the state's approved implementation plan is expected to result in full attainment of the water quality standard within a reasonable, specified time frame*." The commenter states that the Water Boards have not approved an implementation plan for these TMDLs, nor is there any specified timeframe for attainment of the applicable water quality standard. **Response:** Ballona Creek Wetlands is located within the jurisdiction of the Los Angeles Regional Water Board, which is off-cycle for the 2026 California Integrated Report. No changes to the 303(d) list for waterbodies in the Los Angeles Region, including Ballona Creek Wetlands, are proposed in the 2026 California Integrated Report. The contents of this comment will be considered during the development of

	the 2030 California Integrated Report, unless it is identified as a high priority assessment in the 2028 California Integrated Report. USEPA's regulations implementing the Clean Water Act require states to submit their section 303(d) list biennially to USEPA. (40 C.F.R. § 130.7(d).) To achieve timely biennial submittals to USEPA, the State Water Board develops the California Integrated Report each listing cycle primarily consisting of assessments of waterbodies within the regions of three Regional Water Boards. The three Regional Water Boards identified for conducting assessments for the listing cycle are characterized as being "on-cycle" by a notice of public solicitation of water quality data. The other six Regional Water Boards that are "off-cycle" may also assess high priority data, make listing or delisting recommendations, or propose changes to the 305(b) report. In section 6.1.5 of the Listing Policy, it acknowledges that "the Regional Water Boards have wide discretion establishing how data and information are to be evaluated, including the flexibility to establish water segmentation, as well as the scale of spatial and temporal data and information that are to be reviewed," which includes determining what would be considered high priority data or information for a listing cycle. Every two years, Regional Water Boards are rotated, and every region is fully assessed once every six years. Changes to the 303(d) list for the Los Angeles Region were made in the 2024 California Integrated Report. Additional changes for the Los Angeles Region would be proposed in the 2030 California Integrated Report or, for identified high priority assessments, in the 2028 California Integrated Report.
27.09	**B: Comment Category Subtopic:** Orthophosphate listing for the Upper Santa Margarita River (San Diego Regional Water Board). **Commenter:** Riverside County Flood Control and Water Conservation District **Comment Summary:** The commenter requests the following information for Decision ID 154987. • Explain why total phosphorous data submitted were assessed. • Explain why this waterbody/pollutant combination was added to the 303(d) list for the first time based on samples from 2003. • Explain what assumptions were made and/or how the assessment of orthophosphate was conducted using the total phosphorous water quality objective.

	• Please provide the full set of calculations and specific data and/or any transformations used to make the Decision. **Response:** The San Diego Regional Water Board was "off-cycle" for the 2026 California Integrated Report. Only administrative fixes and some mapping updates were completed. Data assessments for all readily available data in the region are being conducted for the 2028 California Integrated Report, which is when the total phosphorus data submitted to CEDEN in 2022 will be considered. During the development of the 2010 California Integrated Report, an incorrectly assessed single decision was created for Santa Margarita River (Upper) containing data for multiple pollutants including alkalinity as $CaCO_3$, ammonia, manganese, nickel, orthophosphate, total kjeldahl nitrogen ("TKN") and total suspended solids ("TSS"). Staff corrected the incorrectly assessed decision as an administrative change in the 2026 California Integrated Report by separating the multi-pollutant LOE into single LOEs and decisions for each pollutant. However, the orthophosphate Decision ID 154987 was created unnecessarily during the development of the Draft 2026 California Integrated Report, as total phosphorus data for the same station (902SMSMR1) and dates (1/15/2003, 4/16/2003, 5/14/2003 and 9/9/2003) are available. These data are assessed in Decision ID 165390. Therefore, the orthophosphate LOE (316436) was moved to the total phosphorus Decision ID 165390 but the orthophosphate data were not used in the final use rating. Decision ID 154987 was deleted from the Proposed Final 2026 California Integrated Report. The actions requested by the commenter are obsolete since the actions were specific to Decision ID 154987, which was deleted from the Proposed Final 2026 California Integrated Report. Data and information for Decision ID 165390 can be found within the Detailed Waterbody Fact Sheets for the Proposed Final 2026 California Integrated Report (Appendices B and B1).
17.01	**C: Comment Category Subtopic:** Comment of support **Commenter(s):** San Francisco Public Utilities Commission **Comment Summary:** The commenter appreciates the opportunity to submit comments and appreciates the State Water Board's effort to conduct a thorough assessment.

	Response: Comment noted.
17.02	**D: Comment Category Subtopic:** Data Representation **Commenter:** San Francisco Public Utilities Commission **Comment Summary:** The commenter requests to remove station BAY#202_LAGOON from the assessment for Crissy Field Beach in Decision ID 149307 for the following reasons. • Samples were a part of a short-term monitoring program, and the samples may have been affected by the bird population. • The BAY#202_LAGOON location was also not fixed; samples were taken within the Lagoon rather than along the shoreline. These samples are inconsistent with San Francisco's Public Utilities Commission sampling station 202.4 in Crissy Field East Beach. • Sample frequency is insufficient for analysis, two samples in January 2016 and five from January 2017. • Station location 202.4 provides a more representative data set (399 datapoints) for Crissy Field Beach. **Response:** Changes were not made in response to this comment. The data collected at monitoring station BAY#202_LAGOON represented in LOE IDs 300054 and 299988 meet Listing Policy data quality and data quantity requirements provided in section 6.1.4 and 6.1.5. The commenter may submit additional data and information to explain why the samples are not sufficient for use in the integrated report, and the LOEs may be updated in a future integrated report, if appropriate. The commenter mentioned concerns about the location of monitoring station BAY#202_LAGOON, but did not provide any evidence showing an issue with the location. Data and information regarding BAY#202_LAGOON will be considered if the data and information is submitted before the data solicitation cutoff date for the 2030 California Integrated Report. The data solicitation public notice has not yet been released; however, the expected cutoff date will be in the fall of 2026.
17.03; 17.04; 17.05	**E: Comment Category Subtopic:** Bacteria Sampling

	Commenter: San Francisco Public Utilities Commission **Comment Summary**: The commenter requests the State Water Board address limitations in specific datasets when calculating bacteria metrics. The specific Decisions IDs are: • 148419 (Pacific Ocean at Baker Beach) • 149307 (Crissy Field Beach) • 149314 (Crissy Field Beach West) • 148487 (Aquatic Park Beach) • 149035 (Mission Creek Channel) • 148992 (Islais Creek Channel) • 148547 (Candlestick Point). The commenter asserts that because sampling is accelerated when elevated bacteria is observed, this will skew the dataset by overrepresenting the number of samples that are counted as exceedances. The commenter suggests adjusting for this bias. Additionally, the commenter asserts the USEPA approved method for analyzing enterococcus in marine samples, which requires a method detection limit of 10 MPM/100 mL, will result in an increased number of non-detects for samples collected during dry weather conditions. Using a dataset that contains a substantial number of non-detect samples also biases the geometric calculation. The commenter recommends the following approach for analyzing Enterococcus data: 1. Use a value ½ the method detection limit for non-detects 2. Weigh the data in weeks with fewer than seven daily samples collected by using the most recent preceding value for non-sampled days. **Response:** Comment noted and the suggestions are appreciated. Section 6.1.5.5 provides that when a sample is less than the quantitation limit and the quantitation limit is greater than the water quality standard, objective, criterion, or evaluation guideline, the result shall not be used in the analysis. Analytical methods and quantitation limits, such as reporting limits and method detection limits, are important to accurately evaluate data quality and determine whether data attain

	standards. However, the issue of non-detects creating biases in a dataset is a known issue and there is a need to reconsider section 6.1.5.5 of the Listing Policy through a Listing Policy amendment. The bacteria data from the listed sites are assessed for the integrated report in accordance with the Bacteria Provisions of the California Ocean Plan, which specifies that the geometric mean, single sample maximum, and statistical threshold value shall be used in a specific manner unless a situation specific weight of evidence factor is applied. Typically, if five or more samples are available over a six-week period, the geometric mean is used. The concern with datasets being skewed because sampling is accelerated when bacteria levels exceed thresholds was shared with Water Board staff in the standards program as staff consider possible changes to the Bacteria Provisions. It is more appropriate to consider this issue as a possible change to the Bacteria Provisions in part because the integrated report is not to be used to establish, revise, or refine any water quality objective, as stated in Listing Policy section 1. Lastly, the San Francisco Bay Regional Water Board is currently off cycle and data and information regarding bacteria assessments in marine and estuarine waterbody segments will be considered if data and information is submitted before the data solicitation cutoff date for the 2030 California Integrated Report. The data solicitation public notice has not been released yet; however, it is expected that the cutoff date will be in the fall of 2026.
17.06; 17.07	**F: Comment Category Subtopic:** Shellfish Beneficial Use clarification and request to delist bacteria listings **Commenter:** San Francisco Public Utilities Commission **Comment Summary:** The SFPUC requests clarification on whether the Shellfish Harvesting (“SHELL”) beneficial use applies to Baker Beach. This request pertains to Decision ID: 148419 (Pacific Ocean, Baker Beach). Baker Beach appears to be within the San Francisco County Waterbody – Channel Golden Gate designation, which does not list SHELL as a beneficial use. SFPUC request delineation of waterbody boundaries as identified in Table 2-1 and Figure 2-5 of the Basin Plan to clarify how this designation relates to the listing.

	The SFPUC also requests the delisting of fecal indicator bacteria ("FIBs") based solely on the SHELL standards and the reclassification of these listings from Category 5 to Category 2 or 3. This request pertains to Decision IDs: 148487 (Aquatic Park), 149314 (Crissy Field Beach West). The 2019 Ocean Plan review identified reassessment of the total coliform SHELL objective as a high priority project, acknowledging public comments that this objective may be unattainable. Given the State Board's prioritization of revising the SHELL beneficial use designation, we request reconsideration of the listings for these two locations. Additionally, the California Aquatic Resources Inventory mapping tool, accessed using EcoAtlas, designates both locations as sandy beaches with little to no hard substrate, making them unsuitable for commercial or recreational shellfish harvesting. **Response:** Comment noted. Changes were not made in response to these comments. Regarding whether the SHELL beneficial use is correctly applied to the Baker Beach waterbody segment, the commenter is correct that Baker Beach does seem to be within the Golden Gate Channel waterbody segment and where the SHELL beneficial use does not apply. The San Francisco Bay Regional Water Board is currently off cycle and will work to verify the appropriate BU application during the 2030 California Integrated Report. Regarding waterbody segments Aquatic Park and Crissy Field Beach West, revision of the designated beneficial uses requires a Use Attainability Analysis ("UAA") or similar documentation. Please provide any such documentation to the San Francisco Bay Regional Water Board for consideration during any Basin Plan Triennial Review to identity and prioritize an amendment to the San Francisco Bay Basin Plan. The Ocean Plan is not applicable to beaches inside the Golden Gate. Lastly, the San Francisco Bay Regional Water Board is currently off cycle and data and information regarding SHELL beneficial use designation and bacteria assessments will be considered if data and information is submitted before the data solicitation cutoff date for the 2030 California Integrated Report. The data solicitation public notice has not been released yet; however, it is expected that the cutoff date will be in the fall of 2026.

17.08	**H: Comment Category Subtopic:** Re-evaluate sediment listings **Commenter:** San Francisco Public Utilities Commission **Comment Summary:** The SFPUC requests that information currently being collected be considered during the next re-evaluation of Mission Creek Channel and Islais Creek Channel sediment listings. Decision IDs: 151515, 151250, 151251, 151252, 151584, 151253 (Islais Creek Channel), 151244, 151245, 151246, 151575, 151574, 151247, 151249, 154328 (Mission Creek Channel). In 2023, the San Francisco Regional Water Quality Control Board, pursuant to their authority under California Water Code Section 13383, required San Francisco to investigate sediment quality in Mission Creek and Islais Creek Channels to address impairments. The SFPUC subsequently submitted a Site History Report (attached), summarizing all available data relevant to the current listings. The SFPUC is currently implementing an approved Sediment Investigation Workplan, with results expected beginning in 2026. The SFPUC requests that relevant information from the Site History Report be considered during this listing cycle and that the data submitted in 2026 be considered during a future listing cycle. **Response:** Comment noted. Changes were not made in response to this comment. The San Francisco Bay Regional Water Board is currently off cycle and will consider this information and recommendation during the 2030 California Integrated Report if the data and information is submitted before the data solicitation cutoff date for the 2030 California Integrated Report. The data solicitation public notice has not been released yet; however, it is expected that the cutoff date will be in the fall of 2026.
27.01	**I: Comment Category Subtopic:** Listings not supported and documentation supporting listings is inadequate. **Commenter:** The Riverside County Flood Control and Water Conservation District **Comment Summary:** The Riverside County Flood Control and Water Conservation District and its Permittees question some listings and the documentation that led to the listings.

	Response: Please see responses addressing specific comments identified in the letter. The letter includes requests for multiple regions and multiple waterbodies. It is unclear from the comment what listings the commenter is referencing.
27.03	**J: Comment Category Subtopic:** Letter of support for comments submitted by other agencies **Commenter:** The Riverside County Flood Control and Water Conservation District. **Comment Summary:** The Permittees support comments in the letter submitted by the Lake Elsinore and Canyon Lake TMDL Task Force on April 2, 2025. The Permittees also support the comments and recommendations on the 2026 Integrated Report submitted by the California Stormwater Quality Association (“CASQA”) in a letter dated April 2, 2025. **Response:** Comment noted. For responses to comments submitted by the Lake Elsinore and Canyon Lake TMDL Task Force, see responses to Letter 30. For responses to comments submitted by CASQA, see responses to Letter 29.

Comprehensive List of Comments Received

Letter 1: Alex Stillmann

Comment ID	Comment Category	Comment
1.01	6A	I sincerely request that you reconsider your decision on Little River which flows into the Moonstone Beach area. Children play in the river's water when it is sunny no matter the time of the year. Now there is a youth surfers camp who often cross Little River to reach the Clam Beach side to learn to surf. I realize ingesting the river's water is not deadly, but it does cause stress to the body in vomiting and/or diarrhea. I believe more testing of this waterway needs to occur and making sure all data (old and new) is used in the assessment. In fact, consider not delisting any of the stream and waterways on your agenda until they have been assessed or reassessed using new and old data. Thank you.

Letter 2: Autumn Feral

Comment ID	Comment Category	Comment
2.01	6A	I have heard that the North Coast Regional Water Board is recommending that four local streams should be removed from the Clean Water Act 303(d) list of "impaired" waters because they are no longer considered polluted with E. coli, a type of fecal bacteria that is considered an indicator for pathogens that can make people sick, cause eye and wound infections. The streams are Little River, Lower Elk River/Martin Slough in Eureka, Gannon Slough/Campbell Creek in Arcata, and Norton/Widow White Creek in McKinleyville. I am deeply concerned about this and wish the board to keep these four local streams on the "impaired" list. I, with children and elders, recreate in the waters at Moonstone and around Humboldt bay and want safe conditions for myself and my community. I urge the Water Board to use

		all of the available data as required by the State's Listing Policy to ensure that the bacteriological quality of waters of the North Coast Region is not degraded beyond natural background levels.

Letter 3: Daniel Chandler

Comment ID	Comment Category	Comment
3.01	6A	I understand that the Board is proposing to delist streams that should remain protected, in particular Little River (I use both Moonstone and Clam Beach). However I also feel the Board is ill-advised to delist Gannon Slough/Campbell Creek in Arcata (I eat oysters grown in the Bay), and Norton/Widow White Creek in McKinleyville (I regularly walk on the trail next to Widow White Creek and my dog drinks from it). I also regularly walk my dog on Old Home Beach in Trinidad. If you had new data that showed these creeks have been free of *E. col*i for some period of time the delisting might be justified (except that the results would be due to the listing of the streams), but my understanding is that you do not. The North Coast Basin Plan still says that the water quality shall not be degraded beyond natural background levels. In the absence of new data, you need to use all of the existing data from 2016 and before, and you need to ensure that the bacteriological quality of the data does not exceed natural background levels.

Letter 4: Emily Siegel

Comment ID	Comment Category	Comment
4.01	6E	I understand that the North Coast Regional Water Board is recommending that four local streams should be removed from the list of Impaired waters because they are no longer

		considered polluted with E. Coli fecal bacteria that can make people sick. I do not understand how this decision can be made without using all of the available scientific data including data from 2016 and before. Additionally no changes have been made to reduce bacteria polluted runoff and effects on commercial oyster farms in Humboldt Bay were not considered. I am trusting that you will not make a decision without using all the available data as required by the California Listing Policy to make sure that the bacteriological quality of the waters of the North Coast are not degraded.

Letter 5: Greg Wellish

Comment ID	Comment Category	Comment
5.01	6A	The Little River is a gem that needs protection from cattle and horse pollution. Delisting is not a viable option. Please continue to keep our local Humboldt beaches safe.

Letter 6: Humboldt Waterkeeper

Comment ID	Comment Category	Comment
6.01	6A	Waterkeeper respectfully objects to these proposed decisions. Waterkeeper requests that the California State Water Resources Control Board ("State Board"): (1) declines to delist Lower Elk River and Martin Slough, Gannon Slough, and Little River and instead maintains them on the CWA section 303(d) list; and (2) adds McDaniel Slough and Mad River Slough to the CWA section 303(d) list as impaired for Indicator Bacteria.
6.02	6A	The Regional Board is now recommending delisting four of these five waterbodies based on incomplete data. While we support the recommendation to keep Jolly Giant Creek

Comment ID	Comment Category	Comment
		in Arcata (Eureka Plain HU) on the 303(d) as Impaired by Indicator Bacteria, we believe that the delisting of Lower Elk River and Martin Slough, Gannon Slough, and Little River is not supported by the data that has been submitted over the years, some of which has been eliminated without adequate justification.
6.03	6B	In addition, we believe that eliminated data support listing McDaniel Slough (Eureka Plain HU), and that inconsistencies in the Regional Board's staff report, data, and recommendations indicate that Mad River Slough (Eureka Plain HU) should be recommended for listing as Impaired by Indicator Bacteria. Our rationale is as stated below.
6.04	6J	We also hereby incorporate by reference comments submitted by Russian Riverkeeper and Steve Butkus, which we adopt as Waterkeeper comments, and urge the State Board to take all action requested therein for the reasons set forth therein.
6.05	6B	The Regional Board Failed to Consider All Existing and Readily-Available Data in the Proposed Decisions. Here, in its proposed decision to delist Lower Elk River and Martin Slough, Gannon Slough, and Little River, and in the proposed decision not to add McDaniel Slough to the CWA section 303(d) list for Indicator Bacteria, the Regional Board failed to consider all existing and readily available water quality-related data. Specifically, the Regional Board failed to consider sampling data submitted by Waterkeeper taken from each of the affected watersheds at various points from 2005 to 2016. These samples contained high levels of E. coli and fecal coliform. In addition, the Regional Board failed to consider samples taken from upstream reference sites within these watersheds which showed very low levels of the same contaminants. These data collectively support the conclusion that these watersheds are impaired for Indicator Bacteria, and therefore, the Regional Board should have considered the

Comment ID	Comment Category	Comment
		data before reaching its listing and delisting decisions with respect to these waters.
6.06	6A	Use of the October 21, 2012 Cutoff for Sampling Data The Regional Board elected not to consider sampling data submitted by Waterkeeper from sampling occurring in 2005 through early 2012. See Exhibit 1. (As discussed further below, Waterkeeper also submitted sampling data from 2013, 2014, and 2016, which was not considered without explanation despite being from sampling after October 21, 2012). Instead, the Regional Board elected not to consider any sampling from prior to October 21, 2012. In essence, the rationale is: (1) indicator bacteria "do not persist in the environment for a long period and effects are of relatively short duration," and (2) "recent bacteria data are a better indicator of current risks to human health . . . ." Moreover, this rationale is premised on the assumption that the indicator bacteria are "[l]acking constant inputs . . . ." This rationale is arbitrary and capricious and in violation of applicable law. First, this violates 40 C.F.R. § 130.7(b)(5) and the Listing Policy, which require evaluation of "all existing and readily available water quality-related data and information . . . ." (Emphasis added.) Waterkeeper's data is existing and readily available because it was submitted to the Regional Board.[1] Thus, the decision to exclude the data from consideration was unlawful. [Footnote 1: The Regional Board must consider information submitted by the public. 40 C.F.R. §130.7(b)(5)(iii) ("At a minimum "all existing and readily available water quality-related data and information" includes but is not limited to all of the existing and readily available data and information about the following categories of waters: …. Waters for which water quality problems have been reported by local, state, or federal agencies; members of the public; or academic

Comment ID	Comment Category	Comment
		institutions."). The Regional Board may not legally impose date restrictions on what data is available.]
6.07	6A	Second, the Regional Board fails to provide a reasoned explanation for the decision to use a 10-year cutoff. The Regional Board notes: "Lacking constant inputs, indicator bacteria do not persist in the environment for a long period and effects are of relatively short duration. As a result, the historic levels of E. coli in the waterbody may be a poor indicator of current risks to human health . . . ." However, even if the persistence of indicator bacteria is a short period of time, this does not support the conclusion that samples from a certain number of years in the past should be excluded from the analysis. Such persistence would be on the order of hours not years. So the issue of persistence in a waterbody is logically unrelated to, and has no rational connection to, any decision to use a 10-year cutoff period for prior sampling.
6.08	6E	Third, the statement that "the historic levels of E. coli in the waterbody may be a poor indicator of current risks to human health"(emphasis added) also does not provide a reasoned rationale for excluding consideration of the data. Whether or not data in 2012 is a good or bad indicator of current risks to human health is a question that should be answered through the consideration of Waterkeeper's data, taking into account what activities contributed to the levels of E. coli found in Waterkeeper's samples, and whether or not any changes to such activities have occurred since the samples were taken. If the same activities occur in the watershed today as in 2012, and those same activities contribute to the high levels of bacteria in the watershed, then data from that time period is a highly reliable indicator of current risks to human health. The 2018 North Coast Basin Plan acknowledges that bacteria-polluted stormwater runoff has been impacting surface waters in the Humboldt Bay area for decades… Even were it otherwise, the contention that older data "may" not be a reliable indicator of current health risk is

Comment ID	Comment Category	Comment
		unsupported by any analysis as to whether it is or is not a reliable indicator. As such, this reflects mere speculation rather than any reasoned analysis and does not justify the total exclusion of data from more than 10 years in the past.
6.09	6D	Fourth, the Regional Board's analysis is premised on the assumption that the indicator bacteria are "[l]acking constant inputs . . . ." However, this assumption is unsupported by any factual information. No data have been collected in the water bodies proposed for delisting since 2018 to support this conclusion or to indicate improvements on bacteriological water quality.
6.10	6A	Finally, the Regional Board incorrectly concludes that data before 2012 "do not meet the temporal representation requirements of section 6.1.5.3 of the Listing Policy." The Fact Sheet relies on the "critical timing" aspect of this provision. The Fact Sheet states: "In accordance with section 6.1.5.3 of the Listing Policy, data should be representative of the critical timing that the pollutant is expected to impact the waterbody." However, the critical timing aspect of this provision does not deal with whether samples from 10 years ago are a predictor of current risks to human health. Rather, the critical timing aspect of this provision deals with whether samples taken during a particular time of day are representative of the conditions in the waterbody. The provision notes: "If the majority of samples were collected on a single day or during a single short-term natural event (e.g., a storm, flood, or wildfire), the data shall not be used as the primary data set supporting the listing decision." Thus, the issue in the portion of section 6.1.5.3 relied upon by the Regional Board is whether the samples were taken on a single date, during a single short-term natural event, during a particular critical season, or the like. This is not the same issue as whether or not samples are outdated as being from a certain number of years in the past. As such, the Regional Board's rationale is not supported by section 6.1.5.3 of the Listing Policy. Moreover, the provision does not support the outright exclusion of data as occurred here. Rather, it

Comment ID	Comment Category	Comment
		says only that such temporally limited data cannot be "the primary data set supporting the listing decision." This does not support the Regional Board's decision to exclude the earlier data from any consideration entirely. Moreover, section 6.1.5.3 states: "If the implementation of a management practice(s) has resulted in a change in the water body segment, only recently collected data [since the implementation of the management measure(s)] should be considered." However, the Regional Board does not indicate that it relied upon the implementation of any such management practices as changing the conditions in Lower Elk Creek / Martin Slough, Gannon Slough, Little River, and McDaniel Slough watersheds. As noted above, no such changes in management have occurred.
6.11	6A	The Regional Board Failed to Consider Existing and Readily-Available Sampling Data Submitted by Waterkeeper, Which Support the Conclusion that the Waterbodies Are Impaired for Indicator Bacteria. Because the Regional Board applied an arbitrary temporal cutoff of October 2012 to its analysis of sampling data, it failed to consider existing and readily-available data submitted by Waterkeeper with respect to Lower Elk River and Martin Slough, Gannon Slough, Little River, and McDaniel Slough, which support the conclusion that these waterbodies are impaired for Indicator Bacteria. Moreover, the Regional Board failed to consider data that post-dates the October 21, 2012 cutoff date that was submitted by Waterkeeper for sampling from 2013, 2014, and 2016, without explanation.
6.12	6B	In the Fact Sheet for Eureka Plain HU, Elk River Watershed, Lower Elk River and Martin Slough (Decision ID 161524), the Regional Board identified four lines of evidence ("LOEs") to assess Indicator Bacteria, which the Regional Board summarized as follows: • ELK RIVER has one LOE (321890) and 3 of 11 STVs exceed the E. coli objective.

Comment ID	Comment Category	Comment
		• MARTIN SLOUGH has two LOEs (321892, 321867) and 4 of 14 STVs exceed the E. coli objective. • SWAIN SLOUGH has one LOE (321893) and 0 of 4 STVs exceed the E. coli objective. The Fact Sheet also notes: "Pursuant to section 4.11 of the Listing Policy, no additional data and information are available indicating that standards are not met." On the contrary, Waterkeeper submitted data consisting of twenty-eight (28) samples taken on various dates from 2006 through 2012 from Martin's Slough/Lower Elk River for E. coli and fecal coliform, which supports the conclusion that these waterbodies are impaired for Indicator Bacteria and are failing to meet applicable water quality standards. These samples were taken from six different locations as shown in Exhibit 1. The sampling data from 2006 through 2009 for Lower Elk Creek and Martin Slough was submitted with Waterkeeper's original listing petition for the 2012 Integrated Report. These data are included in Appendix H: Reference Reports, file #REF-3660.[2] The sampling data for 2012 was submitted to the Regional Board in 2014. Attached as Exhibit 2 is a true and correct copy of the data submission form. The Regional Board inappropriately failed to consider this data. [Footnote 2: Available at: https://www.waterboards.ca.gov/water_issues/programs/tmdl/2025_2026state_ir_reports/apx-h-reference-reports/r1_ref_index.shtml.]
6.13	6F	These data show levels of E. coli and fecal coliform that exceed applicable water quality standards, including those set forth in the Inland Surface Waters, Enclosed Bays, and Estuaries (ISWEBE) Plan, Bacteria Provisions (adopted August 7, 2018), for the protection of the REC-1 beneficial use and the Basin Plan for the North Coast Region ("Basin Plan"). Waterkeeper's sampling data show an exceedance of natural background levels of bacteria. Waterkeeper's sampling included reference site samples taken in

Comment ID	Comment Category	Comment
		timberlands above anthropogenic bacteria sources such as municipal sewer lines, on-site septic systems, livestock grazing areas, and trails frequented by dog walkers. See Exhibit 1 (column entitled “Notes” indicating “Reference” are samples from reference sites). E. coli concentrations at these reference sites should have been compared to downstream concentrations during each sampling event, which would support the conclusion that the bacteriological quality of waters is degraded beyond natural background levels. In addition, the Regional Board’s 2016-2018 bacteria studies identified several reference sites, including one in Upper Elk River that the Regional Board should have compared with downstream E. coli concentrations. These reference site samples show substantially lower levels of bacteria than existed at the downstream locations. This indicates that the bacteriological quality of waters is being degraded beyond natural background levels.
6.14	6H	Moreover, Waterkeeper’s sampling in February 2012 was based on a minimum of five samples for a 30-day period and showed a median concentration of 1,669 MPN/100ml, which exceeds the 50/100ml, and shows 83% of samples exceeding 400/100ml (more than the 10% set forth in the objective). Likewise, the data show a concentration above either 43/100ml or 49/100ml. While these samples are for E. coli rather than fecal coliform, the Regional Board should have considered methodologies to translate these samples into equivalent values for fecal coliform. Such methodologies exist and have been used in Oregon, Ohio, Virginia, and South Dakota (Lorenzen and Rosse, 2022)[3]. As such, this data supports the conclusion that the REC-1 and SHELL beneficial uses are being impaired, warranting maintaining these waterbodies on the section 303(d) list. Moreover, Waterkeeper’s pre-September 2008 data was sampled for fecal coliform, so no such translation method was required for the Regional Board to consider that data. See Exhibit 1.

Comment ID	Comment Category	Comment
		[Footnote 3: Lorenzen, P. and A. Rosse. 2022. Escherichia Coli Total Maximum Daily Loads (TMDLs) Conversion with Existing Fecal Coliform TMDLs for Impaired Streams Designated Recreation Uses in South Dakota. South Dakota Department of Environment and Natural Resources. https://danr.sd.gov/conservation/watershedprotection/tmdl/docs/TableDocs/tmdl_statewidetranslation_ecoli.pdf.]
6.15	6C	In addition, the Basin Plan identifies the beneficial uses of water by waterbody. The beneficial uses in a waterbody identified in Basin Plan Table 2-1 generally apply to its tributaries. This includes tributaries (named and unnamed) to Humboldt Bay. Thus, because the downstream receiving water for these tributaries is Humboldt Bay, which has the SHELL beneficial use designation, these upstream tributaries cannot be delisted if this will result in an impairment of the SHELL beneficial use.
6.16	6B	Gannon Slough In the Fact Sheet for Eureka Plain HU, Gannon Slough (Decision ID 161527), the Regional Board based its proposed decision to delist Gannon Slough on three LOEs, which it summarized as follows: • CAMPBELL CREEK has two LOEs (321858, 321877) and 3 of 8 samples exceed the STV objective. • GANNON SLOUGH has one LOE (321900) and 3 of 10 samples exceed the STV objective. The Fact Sheet also notes: “Pursuant to section 4.11 of the Listing Policy, no additional data and information are available indicating that standards are not met.” On the contrary, Waterkeeper submitted data for sampling from 2005 through 2009 and for sampling in 2012, 2013, and 2014, consisting of eighteen (18) samples for Gannon Slough for both E. coli and fecal coliform, which supports the conclusion that this waterbody is still impaired for

Comment ID	Comment Category	Comment
		Indicator Bacteria and failing to meet applicable water quality standards. See Exhibit 1. The sampling data from 2005 through 2009 was submitted with Waterkeeper's original listing petition for the 2012 Integrated Report. These data are included in Appendix H: Reference Reports, file #REF-3660.[4] The sampling data for 2012, 2013, and 2014 was submitted to the Regional Board in 2014. Attached as Exhibit 2 is a true and correct copy of the data submission form. Even under the Regional Board's own methodology (applying a cutoff of October 2012), the Regional Board should have considered this data because it post-dates October 21, 2012. Specifically, two of the samples are from after October 21, 2012 (those were from October 4, 2013 and February 13, 2014). See Exhibit 1. The Regional Board's failure to consider this data is unexplained was therefore arbitrary and capricious even under its own methodology. [Footnote 4: Available at: https://www.waterboards.ca.gov/water_issues/programs/tmdl/2025_2026state_ir_reports/apx-h-reference-reports/r1_ref_index.shtml.]
6.17	6B	Little River In the Fact Sheet for Trinidad HU, Little River HA (Decision ID 163583), the Regional Board states that "LITTLE RIVER has one LOE (321888) for data collected on or after October 21, 2012, where 0 of 6 samples exceed the REC-1 beneficial use STV objective." On the contrary, the Regional Board failed to consider additional existing and readily available data. This includes sampling data from 2016. The Regional Board conducted sampling pursuant to the Coastal Pathogen Project in 2016. This included numerous sampling sites, including through multiple counties. Waterkeeper worked in conjunction with the Regional Board to identify sample sites in the region, including identifying reference sites. Waterkeeper also conducted more focused studies of two

Comment ID	Comment Category	Comment
		important waterways: Little River and McDaniel Slough. This sampling involved four sites in Little River and five sites in McDaniel Slough. For Little River, Waterkeeper collected samples at four locations in March, June, August, and October 2016. See Exhibit 1. These data were included in the Regional Board's Coastal Pathogen Project and uploaded to CEDEN by Regional Board staff in 2018. See Appendix H: Reference Reports, file #REF-5880.xls.[5] The data for Little River showed that at reference sites the levels of E. coli are generally low or even below the reporting limit, while many of the downstream reaches showed substantial exceedances. See Exhibit 1. This data supports the conclusion that Little River which supports the conclusion that this waterbody is still impaired for Indicator Bacteria and failing to meet applicable water quality standards (including the REC-1 beneficial use). Indeed, the LOE referenced by the Regional Board was for one site only, while Waterkeeper's sampling data was at multiple locations (including one reference site). The Regional Board's reliance on limited data from one location while ignoring more robust data provided by Waterkeeper was arbitrary and capricious and does not support the delisting decision. Even under the Regional Board's own methodology (applying a cutoff of October 2012), the Regional Board should have considered this data because it post-dates October 21, 2012. The Regional Board's failure to do so is unexplained was therefore arbitrary and capricious even under its own methodology. [Footnote 5: Available at: https://www.waterboards.ca.gov/water_issues/programs/tmdl/2025_2026state_ir_reports/apx-h-reference-reports/r1_ref_index.shtml.]
6.18	6B	McDaniel Slough

Comment ID	Comment Category	Comment
		In the Fact Sheet for Eureka Plain HU, McDaniel Slough (Decision ID 161533), the Regional Board reached a proposed decision not to include McDaniel Slough on the CWA section 303(d) list. … Waterkeeper conducted a focused study of McDaniel Slough involving sampling at five locations in 2016 (in March, June, August, and October 2016). See Exhibit 1. These data were included in the Regional Board's Coastal Pathogen Project and uploaded to CEDeN by Regional Board staff in 2018. See Appendix H: Reference Reports, file #REF-5880.xls.[6] The data constitute twenty-five (25) samples (twenty (20) in impacted waters and five (5) at reference sites). Combined with the four samples noted by the Regional Board, this makes a total of twenty-nine (29) samples. As such, the minimum number of samples required by Table 3.2 of the Listing Policy was met. Therefore, the Regional Board's conclusion that insufficient data exist to consider listing was erroneous. The data for McDaniel Slough showed that at reference sites the levels of E. coli are generally low or even below the reporting limit, while many of the downstream reaches showed substantial exceedances. See Exhibit 1. This data supports the conclusion that McDaniel Slough impaired for indicator bacteria because water quality fails to support all designated beneficial uses (including REC-1) and SHELL (because McDaniel Slough is a tributary to Humboldt Bay which has the SHELL beneficial use designation, and as such, the SHELL beneficial use applies to McDaniel Slough as a tributary). Indeed, the LOE referenced by the Regional Board appears to have been for one site only, while Waterkeeper's sampling data was at multiple locations (including one reference site). The Regional Board's reliance on limited data from one location while ignoring more robust data provided by Waterkeeper was arbitrary and capricious and does not support the decision to refrain from listing McDaniel Slough.

Comment ID	Comment Category	Comment
		Even under the Regional Board's own methodology (applying a cutoff of October 2012), the Regional Board should have considered Waterkeeper's data because it post-dates October 21, 2012 (as noted, it was from 2016). The Regional Board's failure to do so is unexplained was therefore arbitrary and capricious even under its own methodology. [Footnote 6: Available at: https://www.waterboards.ca.gov/water_issues/programs/tmdl/2025_2026state_ir_reports/apx-h-reference-reports/r1_ref_index.shtml.]
6.19	6F	Failure to Consider Reference Site Data As noted above, the Regional Board had access to sampling data from a number of reference sites which should have been considered, because the data support the conclusion that anthropogenic bacteria sources are causing the violations of water quality standards. Such data submitted by Waterkeeper is referenced in Exhibit 1. The Regional Board's failure to consider this data was unlawful, and Waterkeeper urges the State Board to do so now.
6.20	6H	Reliance on a Change in Water Quality Standards Does Not Support the Delisting Decision. The Regional Board makes reference to a change in applicable water quality standards for bacteria with respect to the REC-1 beneficial use… To the extent the Regional Board refused to consider water quality data and other information relating to the pre-2018 water quality objectives (i.e., sampling for fecal coliform), that decision was unlawful. The Listing Policy provides the following: "If objectives or standards have been revised and the site or water meets water quality standards, the water segment shall be removed from the section 303(d) list. The listing of a segment shall be reevaluated if the water quality standard has been changed." Listing Policy § 4. This requires a reevaluation and delisting only if "the site

Comment ID	Comment Category	Comment
		or water meets water quality standards" under the new standards. However, this does not justify any decision to fail to consider previous fecal coliform data. Fecal coliform data is still relevant to the impairment analysis under CWA section 303(d) and must be considered to comply with applicable antidegradation requirements. To delist waters based on a reevaluation of solely E. coli or Enterococcus based on the ISWEBE Plan, without considering data submitted for fecal coliform pursuant to the pre-2018 water quality objectives, could permit the applicable waters to degrade in water quality in violation of the Antidegradation Policy.
6.21	6O	The Inadvertent "Do Not List" Recommendation for Mad River Slough (Eureka Plain HU) is Inconsistent with the Data. The "Do not List" recommendation for Mad River Slough within the Eureka Plain HU/Mad River Slough is inconsistent with CEDEN data presented in Appendix B1 of the materials provided for public comments: • Roadside Ditch at Jackson Ranch Road (CEDEN Station 110DJXNRD) • Roadside Ditch at Foster Road and Seidel Road (CEDEN Station 110DSEIDL) • Unnamed Slough at Lanphere Road near Seidel Road (CEDEN Station 110UNSLPHR) • Liscom Slough at Jackson Ranch Road (CEDEN Station 110UNSJXN) Assessment of all 4 showed 3 exceedances of STV from 4 samples, and for all 4, the recommendation shows this should be placed on 303(d) list, but the final decision is "Do Not List." This is basically a failure to list based on new evidence showing failure to protect beneficial uses due to exceedances of water quality objectives. In addition, it is inconsistent with the Regional Board's recommendations for all four sampling stations, which says:

Comment ID	Comment Category	Comment

		• Regional Board Recommendation:
		  ○ After review of the available data and information, RWQCB staff concludes that the water body-pollutant combination should be placed on the section 303(d) list because applicable water quality standards are exceeded and a pollutant contributes to or causes the problem.
		• Final Listing Decision:
		  ○ Do Not List on 303(d) list (TMDL required list)
		• Integrated Report Category:
		  ○ 1 = No beneficial uses are known to be impaired
		• LOE Beneficial Use Support Rating:
		  ○ Insufficient Information
		
		Therefore, Waterkeeper requests the State Board change this to a listing decision for Mad River Slough. In addition, Waterkeeper requests the State Board provide a rationale on why assessments of apparent E. coli bacteria exceedances resulted in Integrated Report Category 1 (No beneficial uses are known to be impaired), with insufficient information to make a beneficial use support decision.

Letter 7: Humboldt Waterkeeper 2

Comment ID	Comment Category	Comment
7.01	6A	The NCRWQCB is recommending delisting 4 of the 5 waterways that we petitioned to list for bacteria in 2010…The waterways are Lower Elk/Martin Slough, Gannon Slough/Campbell Creek, Msd River/Norton Creek, and Trinidad/Little River. Appendix B1 indicates that the reason for delisting for all four is "Applicable WQS attained; due to change in WQS." The Reg. Board decided not consider data from before Oct. 2012, which eliminates nearly all of our data that the listing was based on, despite no changes in management.

		They also apparently did not consider our 2016 data, which was entered into CEDEN by Regional Board staff as part of the Coastal Pathogen Project. That data is attached, along with data from another waterway, McDaniels Slough, (a tributary of Humboldt Bay). Not considering this data seems arbitrary - particularly the 2016 data, which includes reference sites for both streams that show very low levels of E. coli (non-detect in some cases). This seems relevant because the Basin Plan states that "The bacteriological quality of waters of the North Coast Region shall not be degraded beyond natural background levels." (Sec. 3.3.1)

Letter 8: Jim Froland

Comment ID	Comment Category	Comment
8.01	6A	I am writing to express my opposition to the proposed delisting of Little River and other Humboldt tributaries from the list of "impaired waters". Please do not delist these streams without considering all of the best available scientific information. The bacteria standards have changed, but the North Coast Basin Plan still says that "The bacteriological quality of waters of the North Coast Region shall not be degraded beyond natural background levels." I do not believe that all of the available data support delisting. Please include all available data in your decision-making process, including the data submitted prior to 2012 and in 2016.

Letter 9: Julie Meyers

Comment ID	Comment Category	Comment
9.01	6A	I'm emailing your office to request your office to please accept all of the available data as required by the State's Listing Policy to ensure that the bacteriological quality of

		waters of the North Coast Region are not degraded beyond natural background levels.
9.02	6A	Please do not remove the listing of the impaired streams such as Little River, Lower Elk River/Martin Slough, Gannon Slough/Campbell Creek because all of these waterways empty into the estuary and/or ocean where people have livelihoods and need to remain healthy.

Letter 10: Lee Dedini

Comment ID	Comment Category	Comment
10.01	6C	The North Coast Regional Water Board should not be removing four local streams from the Clean Water Act 303(d) list of “impaired” waters, because they are no longer considered polluted with E. coli. No changes have been made to reduce bacteria-polluted runoff, and the delisting does not consider impacts on shellfish harvesting, including commercial oyster farms in Humboldt Bay.
10.02	6A	The Water Board should use all of the available data as required by the State's Listing Policy to ensure that the bacteriological quality of waters of the North Coast Region is not degraded beyond natural background levels.

Letter 11: Nancy Ihara

Comment ID	Comment Category	Comment
11.01	6A	I oppose the North Coast Regional Water Board's recommendation that four local streams should be removed from the Clean Water Act 303(d) list of "impaired" waters. This decision isn't being made based on the best available science.
11.02	6B	The North Coast Basin Plan says that "[t]he bacteriological quality of waters of the North Coast Region shall not be

		degraded beyond natural background levels." There is no evidence that this is the case. Apparently the Water Board decided not to use data from before October 2012 and additional data from 2016 which focused on Little River and McDaniel Slough. No changes have been made to reduce bacteria-polluted runoff identified in these studies.

Letter 12: Pamela Maxfield

Comment ID	Comment Category	Comment
12.01	6K	Do Not Delist Little River Or Any Other Impaired Water Sources. Do what is honest; do what is ethical; do what is moral; do what is right. Turn away from greed and kickbacks from harming the Earth.

Letter 13: Russian Riverkeeper

Comment ID	Comment Category	Comment
13.01	6K	To start, we generally support the continued listing of many of the waterway segments already included on the 303(d) list, as well as the newly proposed listings.
13.02	6G	There has unfortunately been little measurable progress or advancement in achieving water quality objectives for our waterways and many continue to suffer from harmful impairments so it is appropriate that they remain listed. However, we believe this continued impairment also extends to the Laguna de Santa Rosa, Santa Rosa Creek, and their respective tributaries; and therefore, do not believe they should be delisted for indicator bacteria and nitrogen. While technically correct on both science and in line with the state's Listing Policy guidance, we believe the weight of the evidence goes to show continued impairment of these waterway segments. As such, we believe these water segments should be reconsidered for continued

Comment ID	Comment Category	Comment
		listing under the State Water Board's discretion for the reasons provided below.
13.03	6G	Although tributaries to the Laguna de Santa Rosa and Santa Rosa Creeks appear to be proposed for delisting due to a lack of qualifying data points—as opposed to an actual showing of attainment of water quality standards—we start with the sampling provided to help illustrate our concern. Specifically, we start with the data provided in Appendix B1 of the Draft Staff Report for Decision ID's 169061 and 169053. In Decision ID 169061 for Tributaries of Santa Rosa Creek there are two lines of evidence that show exceedances of Water Quality Standards (WQS) in 3 of 4 and 4 of 6 samples. In other words, for available samples exceedances occur more than 33% of the time. This represents 75% and 66.6% exceedances in the data used for the report. In Decision ID 169053 for Tributaries of the Laguna de Santa Rosa, there are six lines of evidence that show exceedances of WQS in 3 of 4, 2 of 4, 2 of 4, 2 of 4, 3 of 4 and 4 of 4 samples. In other words, for available samples exceedances occur more than 66% of the time. This represents a range of 50% to 100% exceedances. …The various permits intended to control indicator bacteria such as the Dairy permit, Municipal Stormwater permit, the On-Site Wastewater Policy and NPDES permits are clearly not controlling sources of indicator bacteria. Nor has there been any demonstrable showing that these permitting programs have been effective in attaining water quality standards. When combined with the fact that no one has the time or resources to more regularly sample these waterways to paint a better picture of ongoing exceedances, it is not in the interest of actual water quality attainment to delist for the absence of data. Currently, the State Water Board is not able to able to provide clear data or evidence to indicate that WQS have been attained in these critical tributaries. In these urban and semi-urban watersheds, many local children play in

Comment ID	Comment Category	Comment
		these creeks and can be exposed to harmful bacteria or pathogens. Thus, we urge the State Board use its discretion to NOT delist these water bodies in the final Staff Report.
13.04	6L	Our other concern with the Draft Staff Report is the proposed Delisting for Nitrogen for the Mainstem Laguna de Santa Rosa. It is clear from years of data from the City of Santa Rosa NPDES program sampling listed in the Draft Staff Report that the Laguna de Santa Rosa has nitrogen in excess of WQS. In Decision ID 79501, it correctly notes that Nitrogen is not a limiting nutrient for freshwater systems such as the Laguna de Santa Rosa. However, what is of greater concern to us is the high concentrations of various forms of nitrogen in the Laguna de Santa Rosa that are exported to marine waters in the Russian River Estuary and near shore, coastal waters. When excessive Nitrogen is exported to the ocean, like it is here, it is known to be the primary driver for increased ocean acidification and domoic acid production. Both of which cause immediate and long-lasting harm to critical Dungeness crab and abalone fisheries.
13.05	6L	The statement in the Fact Sheets, “[g]iven the latest science on limiting nutrients (as explained in the evaluation guideline field of LOE 47416) phosphorus is the limiting nutrient and reductions in nitrogen loads beyond current levels are not expected to result in added protection of the beneficial use or significant water quality improvements” gives us pause as it takes an unnecessarily narrow view that ignores estuary and coastal marine health of which the State and Regional Water Boards have a responsibility in protecting water quality for. We urge you to reconsider delisting the Laguna de Santa Rosa so we do not ignore high levels of nitrogen that are harming our marine ecosystem where the waters from the Laguna drain to.
13.06	6K	As the Listing Policy is meant to be a guideline for staff, we urge the State Water Board to use its discretion to make decisions contrary to the policy when it is clear that the

Comment ID	Comment Category	Comment
		policy does not align with on the ground facts that indicate attainment of water quality standards is not occuring. In the case of the proposed delistings for indicator bacteria and nitrogen we urge you to reconsider delisting these water segments. We appreciate your consideration of our comments.

Letter 14: Sandy Bar Ranch

Comment ID	Comment Category	Comment
14.01	6A	I am writing to oppose the delisting of Little River, Lower Elk River/Martin Slough in Eureka, Gannon Slough/Campbell Creek in Arcata, and Norton/Widow White Creek in McKinleyville.

Letter 15: Steve Butkus

Comment ID	Comment Category	Comment
15.01	6N	The assessment for E .coli bacteria did no include samples measured below the analytical detection limit as presented in the CEDEN database. All samples below the detection limit were ignored. These are real measurements of low concentration should NOT be discarded as insufficient data. The criteria used for E. coli bacteria are based on statistical metrics and inaccurately excluding adequate samples greatly biases the final assessment decision. The following CEDEN stations contain data that were excluded because the resulting measurements were below the analytical detection limit, should not be considered insufficient data and should be included in the assessment. • CEDEN StationName: StationCode

Comment ID	Comment Category	Comment
		○ Cedar Creek above Howland Hill Rd.: 103CDCHHR ○ Little Lost Man Creek: 107LL0600 ○ Lost Man Creek at Lost Man Picnic Area: 107LM1856 ○ Prairie Creek: 107PR7848 ○ Harper Creek: 111HR0606 ○ Little Mill Creek at Mattole Road: 111LM0001 ○ Phillips Gulch : 13PG1586 ○ Freezeout Creek: 114FZ3710
15.02	6O	The following assessment data of CEDEN data presented in Appendix B1 of the materials provided for public comments seem simply inconsistent. Please provide a rationale on why assessments of apparent E. coli bacteria exceedances resulted in Integrated Report Category 1 (No beneficial uses are known to be impaired), with insufficient information to make a beneficial use support decision. • CEDEN Station: 110DJXNRD (Roadside Ditch at Jackson Ranch Road). ○ Assessment shows 3 exceedances of STV from 4 samples ○ Regional Board Recommendation: After review of the available data and information, RWQCB staff concludes that the water body-pollutant combination should be placed on the section 303(d) list because applicable water quality standards are exceeded and a pollutant contributes to or causes the problem. ○ Final Listing Decision: Do Not List on 303(d) list (TMDL required list) ○ Integrated Report Category: 1 = No beneficial uses are known to be impaired ○ LOE Beneficial Use Support Rating: Insufficient Information • CEDEN Station: 110DSEIDL (Roadside Ditch at Foster and Seidl Road). ○ Assessment shows 3 exceedances of STV from 3 samples

Comment ID	Comment Category	Comment
		○ Regional Board Recommendation: After review of the available data and information, RWQCB staff concludes that the water body-pollutant combination should be placed on the section 303(d) list because applicable water quality standards are exceeded and a pollutant contributes to or causes the problem. ○ Final Listing Decision: Do Not List on 303(d) list (TMDL required list) ○ Integrated Report Category: 1 = No beneficial uses are known to be impaired ○ LOE Beneficial Use Support Rating: Insufficient Information • CEDEN Station: 110UNSLPHR (Unnamed Slough at Lanphere Road near Seidl Road). ○ Assessment shows 3 exceedances of STV from 4 samples ○ Regional Board Recommendation: After review of the available data and information, RWQCB staff concludes that the water body-pollutant combination should be placed on the section 303(d) list because applicable water quality standards are exceeded and a pollutant contributes to or causes the problem. ○ Final Listing Decision: Do Not List on 303(d) list (TMDL required list) ○ Integrated Report Category: 1 = No beneficial uses are known to be impaired ○ LOE Beneficial Use Support Rating: Insufficient Information • CEDEN Station: 110UNSJXN (Liscom Slough at Jackson Road Ranch). ○ Assessment shows 3 exceedances of STV from 4 samples ○ Regional Board Recommendation: After review of the available data and information, RWQCB staff concludes that the water body-pollutant combination should be placed on the section 303(d) list because applicable water quality standards are exceeded and a

Comment ID	Comment Category	Comment
		pollutant contributes to or causes the problem. ○ Final Listing Decision: Do Not List on 303(d) list (TMDL required list) ○ Integrated Report Category: 1 = No beneficial uses are known to be impaired ○ LOE Beneficial Use Support Rating: Insufficient Information

Letter 16: Virginia Howard Mullan

Comment ID	Comment Category	Comment
16.01	6E	It has come to my attention that four local streams (Little River, Lower Elk River/Martin Slough in Eureka, Gannon Slough/Campbell Creek in Arcata, and Norton/Widow White Creek in McKinleyville) might be removed from the “impaired” waters list-not because the bacteria levels have improved, but because the bacteria standards have changed. Please consider keeping these locations on the “impaired” waters list for a few more years, just to make doubly sure our children are safe. I believe it is a good idea to have a water quality improvement plan that sets the maximum amount of a pollutant allowed in a water body helping to restore it to meet water quality standards.

Letter 17: San Francisco Public Utilities Commission

Comment ID	Comment Category	Comment
17.01	10C	The City and County of San Francisco’s Public Utilities Commission (SFPUC) appreciates the opportunity to submit comments on the Draft 2026 California Integrated Report, specifically regarding the Clean Water Act Section 303(d) List of Impaired Waters. We recognize and appreciate the State Water Resources Control Board’s

Comment ID	Comment Category	Comment
		(State Board's) effort to conduct a thorough assessment of water quality conditions.
17.02	10D	Request to remove Location 202_LAGOON from data analysis for Crissy Field Beach. This request pertains to Decision ID 149307 (Crissy Field Beach). • Crissy Field Lagoon samples were collected as part of a short-term, special investigation of the enclosed lagoon, where large numbers of birds, a potential source of FIB, have been observed to congregate. These samples were intended to shed light on the potential impacts of Lagoon drainage water on adjacent Crissy Field Beach water quality. • The 202_LAGOON sampling location was not fixed. Some collections occurred within the Lagoon, rather than along the Bay shoreline, making 202_LAGOON data inconsistent with Crissy Field East Beach (SFPUC monitoring station 202.4) conditions. • Sample frequency is insufficient for analysis, with a total of two samples from January 2016 and five from January 2017, limiting their relevance in long-term water quality assessments. • Crissy Field Beach station 202.4 provides a robust dataset (399 datapoints) that is representative of Crissy Field Beach water quality. • Given these factors, the SFPUC requests that the data from 202_LAGOON not be used to determine ambient conditions at Crissy Field Beach. The existing 202.4 dataset provides a comprehensive basis for assessing water quality at this location.
17.03	10E	The SFPUC requests that the State Water Board address limitations in the dataset when calculating FIB metrics to compare against numeric water quality objectives. This request pertains to Decision IDs 148419 (Pacific Ocean at Baker Beach), 149307 (Crissy Field Beach), 149314 (Crissy Field Beach West), 148487 (Aquatic Park Beach),

Comment ID	Comment Category	Comment
		149035 (Mission Creek Channel), 148992 (Islais Creek Channel), 148547 (Candlestick Point). Because sampling is accelerated when elevated FIB is observed, this sampling approach skews the dataset by overrepresenting elevated bacteria conditions. This could potentially lead to misleading assessments of whether a water body meets bacterial water quality objectives. It is unclear whether the State Water Board considered this bias when evaluating the data. The SFPUC's analysis suggests adjusting for this bias can impact the conclusions regarding a waterbody's attainment of water quality standards.
17.04	10E	Additionally, the EPA approved method for analyzing enterococcus in marine samples requires a 10-fold dilution to prevent method interference. As a result, the method detection limit is 10 MPN/100 mL, which is one third of the geometric mean water quality objective of 30 MPN/100 mL. Samples collected during dry weather conditions frequently have results that are non-detect, or less than 10 MPN/100 mL Using the detection limit when results are non-detect and the dataset contains a substantial number of non-detects also biases the geometric calculation.
17.05	10E	The SFPUC recommends the following approach for analyzing Enterococcus to determine water quality standards attainment, which accounts for the dataset limitations described above: • Use a value of ½ the method detection limit for non-detects to reflect the actual field values, which are likely to range up to the full value of the method detection limit. • Weight he data in weeks with fewer than seven daily samples collected by using the most recent preceding value for non-sampled days. Days of low bacteria counts are underrepresented due to follow-up monitoring after combined sewer discharges and periods when FIB are above standards. This approach helps mitigate the sampling bias towards

Comment ID	Comment Category	Comment
		high bacteria count samples in statistical calculations using the data. Please see Table 1 which presents unadjusted and adjusted geometric mean exceedance calculations for the outlined above. The data for these calculations was obtained from the California Environmental Exchange Network assembled for the 2024 Integrated Report Region 2 accessed via a link on the Waterbody Fact Sheets for the listings referenced.
17.06	10F	The SFPUC requests clarification on whether the Shellfish Harvesting ("SHELL") beneficial use applies to Baker Beach. This request pertains to Decision ID: 148419 (Pacific Ocean, Baker Beach). Baker Beach appears to be within the San Francisco County Waterbody – Golden Gate Channel12 designation, which does not list Shellfish Harvesting as a beneficial use. SFPUC request delineation of waterbody boundaries as identified in Table 2-1 and Figure 2-5 of the Basin Plan to clarify how this designation relates to the listing.
17.07	10F	The SFPUC requests the delisting of fecal indicator bacteria (FIBs) based solely on the Shellfish Harvesting ("SHELL") standards and the reclassification of these listings from Category 5 to Category 2 or 3. This request pertains to Decision IDs: 148487 (Aquatic Park), 149314 (Crissy Field Beach West). The 2019 Ocean Plan review identified reassessment of the total coliform SHELL objective as a high priority project, acknowledging public comments that this objective may be unattainable. Given the State Board's prioritization of revising the SHELL beneficial use designation, we request reconsideration of the listings for these two locations. Additionally, the California Aquatic Resources Inventory[3] mapping tool, accessed using EcoAtlas, designates both locations as sandy beaches with little to no hard substrate, making them unsuitable for commercial or recreational shellfish harvesting.

Comment ID	Comment Category	Comment
		[Footnote 3: Last update: CARI v3.0 released June 2024 (https://ecoatlas.org/regions/ecoregion/statewide/?caril=1). Source year varies by dataset and feature.]
17.08	10H	The SFPUC requests that information currently being collected be considered during the next re-evaluation of Mission Creek Channel and Islais Creek Channel sediment listings. Decision IDs: 151515, 151250, 151251, 151252, 151584, 151253 (Islais Creek Channel), 151244, 151245, 151246, 151575, 151574, 151247, 151249, 154328 (Mission Creek Channel). In 2023, the San Francisco Regional Water Quality Control Board, pursuant to their authority under California Water Code Section 13383, required San Francisco to investigate sediment quality in Mission Creek and Islais Creek Channels to address impairments. The SFPUC subsequently submitted a Site History Report (attached), summarizing all available data relevant to the current listings. The SFPUC is currently implementing an approved Sediment Investigation Workplan, with results expected beginning in 2026. The SFPUC requests that relevant information and that the data submitted in 2026 be considered during a future listing cycle.

Letter 18: Ballona Wetlands Land Trust

Comment ID	Comment Category	Comment
18.01	10A	I am requesting clarification on why the the Ballona Creek Wetlands has been listed under category 4a, which indicates that "*A TMDL has been developed and approved by USEPA for any waterbody-pollutant combination, and the state's approved implementation plan is expected to result in full attainment of the water quality standard within a reasonable, specified time frame*." The state has never approved an implementation plan for these TMDLs, nor is

		there any specified timeframe for attainment of the applicable water quality standard.

Letter 19: Central Valley Clean Water Association

Comment ID	Comment Category	Comment
19.01	7K	The Central Valley Clean Water Association (CVCWA) appreciates the opportunity to review and provide comments on the State Water Resources Control Board's (State Water Board) Draft Clean Water Act Section 303(d) List of water quality limited segments for the 2026 California Integrated Report (Draft Integrated Report).
19.02	4A	Before detailing issues with proposed listings for specific constituents, CVCWA once again notes the problems with the current process for developing the State's 303(d) List. As has been the case in prior cycles (e.g., 2022 and 2024), there are significant issues of accuracy, consistency, and validity for many of the proposed listings. These include the use of non-regulatory thresholds and metrics as "evaluation guidelines" in lines of evidence (LOEs), outdated or incorrect water quality criteria, and inclusion of decades-old data. This 2026 cycle also introduces the concept of "remapping" to create new waterbody segments in the Delta and reorder data to create new listings. It takes a substantial amount of time and resources to sort through the fact sheets, references, and supporting data for relevant listings. While the data used to support listings is subject to quality control requirements, in this automated process, whether the proposed listings themselves are justified has become to depend on stakeholder review of individual fact sheets.
19.03	3A	Additionally, as CVCWA has come to learn during multiple cycles, there is a sort of operative presumption that waterbody segments should be listed as impaired based on the minimum data or LOEs permissible under the Listing Policy. The result is a State 303(d) List that has thousands of impaired waterbody segments not for just toxicants or conventional pollutants, but things like benthic community impacts, multiple variations of salinity, and now "alkalinity." On the other end of the 303(d) process, regional water

Comment ID	Comment Category	Comment
		quality control boards have developed and adopted several total maximum daily loads (TMDLs) for these impaired waters in the same amount of time. There are real-world, practical impacts to the regulated community when receiving waters are listed as impaired. For example, stormwater permittees must collect and analyze samples for each dry weather monitoring event and wet weather monitoring event for constituents "listed as a cause for impairment of receiving waters in the Watershed Management Areas listed on the CWA section 303(d) List."[1] For sewer system operators enrolled under the Statewide Sanitary Sewer Systems General Order, sewer system management plans must prioritize assessments of system areas within the vicinity of receiving waters with a bacterial-related impairment.[2] Impairment is a basis for enforcement prioritization, harm evaluation, and settlement consideration under the Water Quality Enforcement Policy.[3] Under the "OWTS Policy" for subsurface disposal systems (i.e., septic tanks), existing, new, and replacement onsite wastewater treatment systems are categorized as "Tier 3" and must meet the heightened requirements for advance protection management programs for impaired areas.[4] In NPDES permitting, impairment is a consideration in whether a water quality-based effluent limitation (WQBEL) is required for priority pollutants.[5] And of course, there are considerable implications for permittees if a TMDL is developed and adopted. Because of these impacts throughout different areas of water quality regulation, it is important that the initial listing of a waterbody segment is accurate, justified, and reasonable. This is especially the case because delisting a waterbody segment encounters the opposite presumption – that waterbody segments shall only be removed from the 303(d) list in the case of faulty data, the revision of water quality standards or objectives, more samples showing non-exceedances under a statistical evaluation, or that the weight of the evidence shows attainment.[6] It is important to get it right the first time. [Footnote 1: California Regional Waer Quality Control Board, San Diego Region, Order R9-2015-0100, NPDES

Comment ID	Comment Category	Comment
		Permit and Waste Discharge Requirements for Discharges from the Municipal Separate Storm Sewer Systems (MS4s) Draining the Watersheds within the San Diego Region, Att. 1 pp. 48, 54 (Nov. 18, 2015), *available at* https://www.waterboards.ca.gov/sandiego/board decisions/adopted orders/2015/R9-2015-0100.pdf. [Footnote 2: State Water Board, Order WQ 2022-0103-DWQ, Statewide Waste Discharge Requirements General Order for Sanitary Sewer Systems, Att. D, p. D-8 (Sept. 6, 2022), *available at* https://www.waterboards.ca.gov/board decisions/adopted orders/water quality/2022/wqo 2022-0103-dwq.pdf.] [Footnote 3: State Water Board, Water Quality Enforcement Policy, pp. 10, 18, 22, 31 (effective Nov. 7, 2024), *available at* https://www.waterboards.ca.gov/water_issues/programs/enforcement/docs/2024/2024-enforcement-policy.pdf] [Footnote 4: State Water Board, Water Quality Control Policy for Siting, Design, Operation, and Maintenance of Onsite Wastewater Treatment Systems, pp. 39-45 (Apr. 18, 2023), *available at* https://www.waterboards.ca.gov/water_issues/programs/owts/docs/adopted_owts_policy.pdf.] [Footnote 5: State Water Board, Policy for Implementation of Toxics Standards for Inland Surface Waters, Enclosed Bays, and Estuaries of California, p. 7 (2005), *available at* https://www.waterboards.ca.gov/water issues/programs/state implementation policy/docs/sip2005.pdf (including "CWA 303(d) listing for the pollutant" as information that may be used that under Step 7 to determine if a WQBEL is required). [Footnote 6: State Water Board, Water Quality Control Policy for Development California's Clean Water Act Section 303(d) List, pp. 12-13, available at https://www.waterboards.ca.gov/board_decisions/adopted_orders/resolutions/2015/020315_8_amendment_clean_version.pdf (Listing Policy) (describing delisting factors).

Comment ID	Comment Category	Comment
19.04	1G	Benthic Community Effects and CSCI Scores in the Central Valley: If the waterbody is impaired by at least one pollutant for an aquatic life beneficial use, then the waterbody is placed in Category 5. *Id.* Seven waterbodies in Region 5 fit this last description and are proposed for listing in Category 5 for benthic community effects: • Flyaway Gulch (Mariposa County) (Decision ID 171022) • Tuolumne River, Lower (Don Pedro Reservoir to San Joaquin River) (Decision ID 171848) • Marsh Creek (Dunn Creek to Marsh Creek Reservoir) (Decision ID 171029) • Salt Slough (Mud Slough to Sand Dam, Merced County) (Decision ID 171846) • Salt Slough (upstream from confluence with San Joaquin River) (Decision ID 171847) • Orestimba Creek, east of the Delta Mendota Canal (Stanislaus County) (Decision 171033) • San Joaquin River (Friant Dam to Mendota Pool) (Decision 171837) The State Water Board should not treat USEPA's initial letter as final until USEPA has considered and responded to these public comments and communicates a final decision. The 44 waterbodies that were subject to the letter should remain in Category 3 unless and until a final decision from USEPA has been issued.
19.05	1A	With respect to the new listings for benthic community effects in the 2026 cycle, CVCWA continues to object to the use of the CSCI score of 0.79 as an evaluation guideline in the listing process. In individual fact sheets, like Decision ID 171022 for Flyway Gulch, the CSCI score of 0.79 is described as a "threshold ." This approach escalates the CSCI score of 0.79 to a de facto water quality objective. Indeed, the USEPA has interpreted the CSCI score of 0.79 as such: "The state uses the [CSCI] to score the biological condition of rivers and streams ... The CSCI provides a numeric evaluation guideline to directly assess the attainment of aquatic life beneficial uses for Cold Fresh

Comment ID	Comment Category	Comment
		Water Habitat (COLD) and Warm Fresh Water Habitat (WARM)."[7] [Footnote 7: Letter from Tomas Torres, Director of Water Division, USEPA Region 9, to Eric Oppenheimer, Executive Director, State Water Board, re: California's 2024 List of Impaired Waters under Clean Water Act (CWA) Section 303(d), p. 8 (Dec. 1224), *available at* https://www.epa.gov/system/files/documents/2024-12/ca-2024-303d-list-epa-partia1-approval-disapproval-2024-12-12.pdf.]
19.06	1A	The CSCI score of 0.79 was developed to reflect a "reference condition" based on conditions in relatively pristine waters. CVCWA is already on record, in addition to numerous other stakeholders, as objecting to the use of a CSCI score of 0.79 as the basis for a “significant degradation” determination in a wide range of waters, including waters throughout the floor of the Central Valley, storm drainage channels, agricultural drains, agricultural supply channels, and numerous other examples. A recent (2024) study performed by the Southern California Coastal Water Research Project (SCCWRP) indicates that the use of CSCI scores in various waters in northern California, including naturally intermittent streams and streams on the valley floor of the Central Valley (two categories which often overlap) should not be assessed using CSCI thresholds derived from perennial streams (i.e. CSCI score of 0.79).[8] [Footnote 8: SCCWRP, Technical Report 1367: A Technical Foundation for Biointegrity and Eutrophication Indicators and Thresholds for Modified Channels, Intermittent Streams, and Streams on the Central Valley Floor 145, p. xv (Sept. 2024), *available at* https://www.waterboards.ca.gov/centralvalley/water issues/swamp/streams report/streams indicators thresholds modchannel v6 rpt.pdf (“this unique environmental setting remains poorly represented in reference datasets used to calibrate bioassessment indices (such as the CSCI). This lack of reference data raises concerns about using these

Comment ID	Comment Category	Comment
		indices (or eutrophication response models based on these indices) in the Central Valley"). CVCWA's comments on the SCCWRP Report are included as Attachment 2 for reference.
19.07	1A	The State Water Board has not considered whether the CSCI is an appropriate metric as a water quality objective. Key information that would need to be developed under Water Code sections 13241 and 13242 includes: a. Current attainability of the CSCI score of 0.79 in the broad landscape of waterbody types that exist in California, with specific attention to waters in the Central Valley. b. Measures that could be taken to bring those waters that currently do not attain a CSCI score of 0.79 into compliance with that value. c. The consideration of the cost and effectiveness of such measures. d. The consideration of natural or other non-water quality-driven factors that could influence attainment of a CSCI score of 0.79 in a multitude of waterbodies. e. The overall cost and the tangible benefits to be derived from a policy that requires all waters in California to achieve a CSCI score of 0.79. Instead, labeling the CSCI score of 0.79 as an evaluation guideline under the Listing Policy shortcuts the above described policy discussion and decision. It also signals to the stakeholder community that the State Water Board considers 0.79 to be "the number," whether or not that is the threshold for impairment or the appropriate starting place for setting water quality objectives.
19.08	1A	In addition, the individual listings for benthic community impairment are based on a small number of sample observations (e.g., 2). These small samples are then used as the basis for an LOE to list a waterbody for toxic pollutants and conventional constituents.

Comment ID	Comment Category	Comment
		The CSCI scoring used for benthic community effects is specifically not a “numeric water quality objective for a toxic pollutant,” but rather a general numerical composite score for a condition assessment. The condition may be caused by a toxicant, but in many cases the impairment driver is not known and may be caused by other factors such as flow conditions, channel modification, etc. Consequently, Table 3.2 for non-toxic objectives would be more appropriate for numeric assessments of effect scoring such as benthic community effects. Additionally, Table 3.1 and Table 3.2 specify that a minimum number of samples (16 and 24, respectively) are necessary to perform a binomial test. Table 3.1 and Table 3.2 allow listing based on fewer exceedances (2 and 5 respectively). However, there is no technical basis provided to confirm the statistical significance of the finding with so few sample exceedances when the binomial testing threshold is not met. Given the other uncertainties related to these listings and the lack of causal understanding of specific CSCI scores, additional samples are necessary to confirm the impairment finding.
19.09	1G	For all these reasons, CVCWA requests that the State Water Boar refrain from using the CSCI score of 0.79 as a threshold for degradation or impairment for Central Valley floor waters. At a minimum, for any waterbodies listed based on the CSCI score, proposed listings should be Category 3 since causation information is not currently available. The State Water Board should make affirmative statements that the CSCI is not a water quality objective, that it has not been considered in the required process for setting objectives to address attainability, and that it should not be used as a regulatory tool until that process occurs.
19.10	4B	Non-characteristic Data: At least seven listings for Central Valley waterbodies are proposed for listing solely based on

Comment ID	Comment Category	Comment
		data from several datasets that are decades old. The following datasets were considered: • Toxic Substances Monitoring Program: Freshwater Bioaccumulation Monitoring: TSM Program Data 1978-2000. State Water Resources Control Board, Division of Water Quality. • Toxic Substances Monitoring Program: Freshwater Bioaccumulation Monitoring Program 2001-2003. State Water Resources Control Board, Division of Water Quality. Unpublished Data. • Regional Monitoring Program data, Feb. 1993-Sep. 2008 for the San Francisco Bay Regional Monitoring Program, sometimes incorrectly referred to as the Delta Regional Monitoring Program. • Sacramento River Watershed Program Annual Reports for 1999-2000, 2000-2001, 2001-2002, 2002-2003, and 2003-2004; and BDAT data 1998-2003.
19.11	7I	Based on the addition of these and the remapping project for the Delta, the following waterbodies are now proposed for listing: Decision ID 156838 recommends listing the Sacramento River (in Delta Waterways) for arsenic in Category 5 based on one line of evidence (LOE 321438) out of eighteen evaluated. The basis for LOE 321438 is the Regional Monitoring Program for Trace Substances results from 1993 to 2008 collection of *Corbicula* (clams) near to the Sacramento River downstream from Emmaton near to Sherman Lake. The other seventeen LOEs show zero exceedances.
19.12	4B	Decision ID 156975 recommends listing the San Joaquin River (in Delta Waterways) for arsenic based on one line of evidence (LOE 321439) out of ten evaluated. The basis for LOE 321439 is the Regional Monitoring Program for Trace Substances results from 1993 to 2008 collection of *Corbicula* (clams) near to Sacramento River downstream

Comment ID	Comment Category	Comment
		from Emmaton near Sherman Lake. The other nine LOEs show zero exceedances.
19.13	4B	Decision ID 165333 recommends listing the Sacramento River (in Delta Waterways) for polycyclic aromatic hydrocarbons (PAHs) in Category 5 based on one line of evidence (LOE 321444). The basis for LOE 321438 is the Regional Monitoring Program for Trace Substances results from 1993 to 2008 collection of *Corbicula* (clams) near the Sacramento River downstream from Emmaton near Sherman Lake. The other line of evidence shows zero exceedances.
19.14	7O	Decision ID 156842 recommends listing the Sacramento River (in Delta Waterways) for chlordane in Category 5 based on one line of evidence (LOE 321440). The basis for LOE 321440 is shellfish data mostly from the 1990s. LOE 321531 is based on incomplete data from 2005 (missing the percent moisture for the sample collect). The other four LOEs show zero exceedances.
19.15	7U	Decision ID 169193 recommends listing the Sacramento River (in Delta Waterways) for DDT (dichlorodiphenyltricholoroethane) in Category 5 based on LOE 321537, LOE 321538, and LOE 321442. The bases for these LOEs are shellfish data from 1993-1999 and 2000-2008, and then fish tissue data from 2005 and 2011. The other six LOEs show zero exceedances.
19.16	7B	Decision ID 121085 recommends listing the Sacramento River (in Delta Waterways) for fipronil in Category 5 based on LOE 186659, LOE 201574, and LOE 201603. The samples in LOE 189659 were collected over a five-day period in 2021 and one sample had no reported result due to a sampling or analytical error. The median value of the five samples is 10 nanograms per liter (ng/L) which is lower than the applied threshold. LOE 201574 appears to be a duplicate record and should be omitted. And LOE 201603 does not specify a reporting limit or quality assurance code.

Comment ID	Comment Category	Comment
19.17	7N	Similar data quality issues are present in Decision ID 156847, which recommends listing the Sacramento River (in Delta Waterways) for dieldrin. LOE 321537 specifies one exceedance of the threshold out of one sample. However, five identical records with unique tissue identifications are provided. LOE 321538 is based on five tissue-based exceedances of the threshold using data from 2005 with notes about the very limited data in the study report. And LOE 321442 contains an error in the fact sheet referring to DDT.
19.18	7P	Decision ID 165439 recommends listing mercury in the Sacramento River (in Delta Waterways) in Category 5 based on one LOE (321563) from a total of twenty-two LOEs. The data used for LOE 321563 is from 1992-1993, 1996-1999, and 2001-2002 fish tissue monitoring. Generally, data that is from 25 to 30 years ago cannot be reasonably considered to characterize a current condition or impairment. The Sacramento River within the legal Delta is already listed as impaired for methylmercury and is addressed by a completed TMDL and the Delta Mercury Control Program. This listing should be removed, or at a minimum, recategorized in Category 4a as already addressed by a TMDL approved by the State Water Board and USEPA.
19.19	4B	This list summarizes eight new listings for impairment based on decades-old fish tissue data and shellfish tissue data. Section 6.1.5.3 of the Listing Policy (Temporal Representation) states that: “If the implementation of a management practice(s) has resulted in a change in the water body segment, only recently collected data [since the implementation of the management measure(s)] should be considered. The water quality fact sheet should describe the significance of the sample timing.” The fact sheets for the seven proposed listings identified above do not discuss the outdated nature of the data upon which the listings rely. Indeed, significant changes to flow operation of the

Comment ID	Comment Category	Comment
		Sacramento and San Joaquin River Delta have occurred over the last 20 years based on the operation of the Central Valley Project and State Water Project under increasingly restrictive biological opinions/incidental take permits under federal and state endangered species laws, respectively. In that time period, nearly all major POTW dischargers to the Delta have converted to advanced treatment and filtration. The Draft Integrated Report does not consider any of these significant changes or evaluate whether these old data that are different from data used in previous listing cycles are representative of current conditions. CVCWA requests that these listings be removed based on the above-stated concerns with the use of outdated, unrepresentative data.
19.20	7T	Zinc: The Draft Integrated Report recommends a total of eighteen listings for zinc for waterbodies in Region 5. Of those eighteen listings, seventeen are based on exceedances of the Secondary MCL for zinc (5.0 mg/L) in ambient waters of the Central Valley. Based on historic and recent ambient water quality data for zinc in the Central Valley, it is implausible that such exceedances have occurred.
19.21	7T	CVCWA performed some simple research to determine the range of zinc concentrations that have been observed in the Central Valley. In a May 2012 report issued by the U.S. Geological Survey (USGS) titled *Selected Trace Elements in the Sacramento River, California: Occurrence and Distribution,* dissolved zinc concentrations in 1996-1997 ranging from 0.65 µg/L (Sacramento River at Freeport) to 900 µg/L (acid mine drainage in Spring Creek) were documented. The Spring Creek concentrations are well understood to represent extreme levels of trace metal pollution associated with drainage from the Iron Mountain Mine. Even at this "extreme" end of the range of data, the Spring Creek concentration of 900 µg/L is well below the Secondary MCL for zinc of 5 mg/L (or 5,000 µg/L). In a December 1998 report prepared by the Central Valley Regional Water Quality Control Board (Central Valley Water Board), total and dissolved zinc concentrations were

Comment ID	Comment Category	Comment
		documented in the Sacramento-San Joaquin Delta for the period of 1993 to 1995, representing critically dry, normal, and wet water years. The range of mean and maximum concentrations of total and dissolved zinc in these three years were as follows: Again, none of these concentrations approached the Secondary MCL of 5 mg/L.
19.22	7T	As an additional step, CVCWA pulled all available zinc data from CEDEN, the public repository of ambient water quality data in California (see Attachment 3). As shown in Attachment 3, for the monitoring site in the Sacramento River at Freeport covering data from 1992 through 2015 and for sites in the San Joaquin River covering data in the period from 1995 to 2002, the maximum observed zinc concentrations were 39.6 µg/L (total) and 27 µg/L (dissolved). These maximum values are multiple orders of magnitude below the Secondary MCL for zinc of 5 mg/I.
19.23	7T	Based on the above, our conclusion is that the proposed Central Valley zinc listings in the Draft Integrated Report are likely based on an inaccurate interpretation of the units for dissolved zinc used in the data analysis for the proposed listings. CVCWA requests that the State Water Board re-evaluate the proposed zinc listings identified below and remove the listings if the suspected data error occurred. • Orestimba Creek, east of the Delta Mendota Canal (Stanislaus County) (Decision ID 154773) • Del Puerto Creek (Stanislaus County) (Decision ID 160440) • Cosumnes River, Lower (below Michigan Bar to Delta Waterways) (Decision ID 160500) • Unnamed tributary near Table Mountain Rancheria (Fresno County) (Decision ID 160354) • San Joaquin River (Mendota Pool to Bear Creek) (Decision ID 158917) • Bear Creek (from Bear Valley to San Joaquin River, Mariposa and Merced Counties) (Decision ID159399)

Comment ID	Comment Category	Comment
		• Hospital Creek (San Joaquin and Stanislaus Counties) (Decision 159096) • San Joaquin River (Merced River to Tuolumne River) (Decision 159185) • Merced River, Lower (Mcswain Reservoir to San Joaquin River) (Decision 158888) • Ingram Creek (from confluence with Hospital Creek to Hwy 33 crossing) (Decision 159058) • Lone Tree Creek (Decision 166320) • Salado Creek (Stanislaus County) (Decision 166488) • French Camp Slough (San Joaquin County; outside Delta) (Decision 166329) • Stanislaus River, Lower (Decision 166340) • San Joaquin River (Tuolumne River to Stanislaus River) (Decision 166344) • Bear Creek (San Joaquin and Calaveras Counties; outside Delta) (Decision 166501) • Deep Slough (Merced County) (Decision 166539) • Pixley Slough (San Joaquin County; outside Delta) (Decision 166510)
19.24	7M	Specific Conductivity: The Draft Integrated Report recommends a total of twenty listings for specific conductivity (equal to electrical conductivity (EC) at 25°C) for waterbodies in Region 5. Given the importance of salinity management in the Central Valley and the resources devoted to engagement in CV-SAL TS, CVCWA performed a spot check on three of the proposed Central Valley listings for specific conductivity. Reviewing the proposed listing in the San Joaquin River between the Tuolumne River and the Stanislaus River (Decision 165501), the fact sheet states that the following threshold values (evaluation guidelines) were used: • MUN: Secondary MCL range from 900 to 1,600 µmhos/cm as an annual average. • AGR: Range from 700 to 1,000 µmhos/cm. These threshold values are inappropriate. The proper values to be used are the adopted water quality objectives

Comment ID	Comment Category	Comment
		for the Lower San Joaquin River to protect AGR and MUN uses. These water quality objectives are: • Monthly average of 1550 µmhos /cm in most years • Annual average of 2200 µmhos /cm in extended dry periods
19.25	7M	Also, the older data used in the listing analysis (1995-2007) for this segment of the Lower San Joaquin River is inappropriate, given the well documented water quality changes in the Lower San Joaquin River that have occurred in the past 15 to 20 years associated with various management actions in upstream waters. To address these deficiencies, the listing analysis must be revised to reflect appropriate thresholds and the use of representative, recent data reflecting current water quality conditions.
19.26	7T	CVCWA also reviewed the data used in the listing analysis for the Lower Stanislaus River (Decision 165513) and the Lower Tuolumne River (Decision 165536). In each case, the actual data cited in the fact sheets did not agree with the stated findings. For the Lower Stanislaus River, the fact sheet asserts that the annual average EC for water years 2003 and 2004 exceeded the Secondary MCL range of 900 to 1600 µmhos /cm. In fact, the data sources cited in the fact sheet indicate the following: • Water Year 2003: EC ranged from 51 to 86 µmhos /cm • Water Year 2004: EC ranged from 60 to 74 µmhos /cm Clearly, the annual average EC for these water years was more than an order of magnitude less than the Secondary MCL range. In the Lower Tuolumne River, similar discrepancies were found. Actual EC conditions in the Lower Tuolumne River were well below the Secondary MCL values, ranging from 35 to 206 µmhos /cm in water years 2003-2004.

Comment ID	Comment Category	Comment
19.27	7M	Given the above results where three randomly selected listings for specific conductivity were examined and found to be erroneous, CVCWA requests that the State Water Board revisit all of the twenty proposed specific conductance listings in the Central Valley to correct any deficiencies in the evaluation guidelines and supporting data. The twenty listings are identified below: • Morrison Creek (Decision 151568) • North Fork Cache Creek (Lake County) (Decision 151316) • Elder Creek (Sacramento County) (Decision 131804) • Flyaway Gulch (Mariposa County) (Decision 171022) • Indian Creek (from Antelope Lake to East Branch of North Fork Feather River, Plumas County) (Decision 131803) • Kaseberg Creek (tributary to Pleasant Grove Creek, Placer County) (Decision 151559) • Kaseberg Creek, unnamed eastern tributary (from Green Grove Ln to Del Webb Blvd) (Decision 151563) • Kaseberg Creek, unnamed southeastern tributary (from Silverado Middle School to Timber Creek Golf Course, Placer County) (Decision 151566) • Kaseberg Creek, unnamed southern tributary (from Baseline Road to Timber Creek Golf Course, Placer County) (Decision 151562) • Laguna Creek (Sacramento County) (Decision 131805) • Lassen Creek (Modoc County) (Decision 131734) • Little Cow Creek (downstream from Afterthought Mine) (Decision 131475) • Lone Tree Creek (Decision 131508) • Marsh Creek (Dunn Creek to Marsh Creek Reservoir) (Decision 171029) • Marsh Creek (Marsh Creek Reservoir to San Joaquin River; partly in Delta Waterways, western portion) (Decision 131504) • Orestimba Creek, east of the Delta Mendota Canal (Stanislaus County) (Decision 171033) • Pleasant Grove Creek (Decision 151556)

Comment ID	Comment Category	Comment
		• Pleasant Grove Creek, South Branch (Decision 151560) • Pleasant Grove Creek, unnamed northern tributary (from Greywood Circle to confluence with Pleasant Grove Creek) (Decision 151564) • Pleasant Grove Creek, unnamed northern tributary (from Mt Tamalpais Dr to confluence with Pleasant Grove Creek) (Decision 151561) • Salt Slough (Mud Slough to Sand Dam, Merced County) (Decision 171846) • Salt Slough (upstream from confluence with San Joaquin River) (Decision 171847) • San Joaquin River (Friant Dam to Mendota Pool) (Decision 171837) • Stanton Creek (Lake County) (Decision 131505) • Tuolumne River, Lower (Don Pedro to San Joaquin River) (Decision 171848)
19.28	7C	Additionally, CVCWA reviewed decisions that were reassessed for specific conductivity, and similarly identified errors in the State Water Board's determinations to delist or maintain listed waterbodies. For example, the State Water Board erroneously uses the dataset "Hospital_Creek_at_River_Road_STC042.xls" as two separate data references (ref3427 and ref2493) and repeats the same 6/6 exceedances for two LOEs (345962 and 345990). CVCWA requests that the State Water Board review these listings with corrected datasets, as the identified error warrants further scrutiny of the listings.
19.29	7T	Incorrect Units in Assessments: Datasets used from the Surface Water Ambient Monitoring Program (SWAMP) included unit values with encoding errors. Reference No. 2559 is the SWAMP database file "SWAMP BDAT_R5.mdb" provided by the State Water Board as a Microsoft Access database. The example database table excerpt for the San Joaquin River (Mendota Pool to Bear Creek) is provided below. The error occurs for metals and specific conductance as an incorrectly encoded "Units" field (column), which apparently were interpreted by the State

Comment ID	Comment Category	Comment
		Water Board in the Draft Integrated Report as "mg/L" rather than the likely "µg/L". As explained above for zinc, the applied water quality objective is the Secondary MCL (5 mg/L). In the case of Decision ID 158917, the Draft Integrated Report likely made comparisons assuming the database units are “mg/L” when they were likely measured in “µg/L.” This likely resulted in erroneous listing for LOE 346152 as well as the multiple listings identified above in Section 4. This issue is also evident for specific conductivity results in the same dataset. All listings that use this data source should be reviewed for correct interpretation of the units.
19.30	7I	OEHHA Screening Values: The Draft Integrated Report inappropriately applies screening values developed by the Office of Environmental Health Hazard Assessment (OEHHA), based on both OEHHA’s stated intent regarding their uses as well as in the specific technical exposure pathway calculations performed in the Draft Integrated Report. OEHHA states[9] that: > California Human Health Screening Levels (CHHSLs) are concentrations of chemicals in soil or soil-gas below thresholds of concern for risks to human health – specifically, an excess lifetime cancer risk of one-in-a million (10-6) and a hazard quotient of 1.0 for non-cancer health effects. The CHHSLs were developed by OEHHA on behalf of the California Environmental Protection Agency, pursuant to Health and Safety Code Section 57008. > The CHHSLs have no regulatory effect and are not intended for use by regulatory agencies that have authority to require remediation of contaminated soil. The numbers are solely advisory and published as reference values for use by citizen groups, community organizations, property owners, developers, and local government officials to estimate the degree of effort that may be necessary to remediate a contaminated site.

Comment ID	Comment Category	Comment
		Given that the 303(d) listing process has nothing to do with the remediation of contaminated soil, use of the OEHHA screening values is unsupported. OEHHA screening values for fish tissue are also used extensively in the Draft Integrated Report. Reference No. 449 explains that: > Screening Values were established in the QAPP for a number of chemicals specifically for the California Lakes Study. The Screening Value (SV) approach is recommended by USEPA (1995) to identify chemical contaminants in fish tissue at concentrations which may be of human health concern for frequent consumers of sport fish. The SVs are not intended as levels at which consumption advisories should be issued but are useful as a guide to identify fish species and chemicals from a limited dataset, such as this one, for which more intensive sampling, analysis or health evaluation are to be recommended. Even this specific reference is intended for use in lakes "specifically" and not appropriate for other surface waters, compounding the error. Footnote 9: https://oehha.ca.gov/risk-assessment/california-human-health-screening-levels-chhsls.
19.31	7I	CVCWA performed a spot check of the proposed listings for arsenic in Region 5 to evaluate how the OEHHA screening values were specifically being applied in this listing cycle. Decision ID 156838 recommends listing arsenic in the Sacramento River (in Delta Waterways) in Category 5 based on one LOE (321438) out of eighteen based on a "modified OEHHA Fish Contaminant Goal for arsenic in shellfish tissue is 0.0052 ppm." There is no description of how the fish consumption values were modified to verify the analysis. The specific OEHHA reference used for the objective (0.0052 ppm) could not be directly accessed from available materials or the OEHHA website. Brodberg, R.K., and G.A. Pollock, 1999 does not evaluate screening values

Comment ID	Comment Category	Comment
		for arsenic. Klasing, S., and R. Brodberg, 2008 identifies a screening value (SV) in fish tissue of 1 ppm and states that "The SVs are not intended as levels at which consumption advisories should be issued but are useful as a guide to identify fish species and chemicals from a limited dataset, such as this one, for which more intensive sampling, analysis or health evaluation are to be recommended." OEHHA, 2004 is not provided, and the OEHHA, 2005 document that is provided is a technical support document for assessing cancer risk from air exposure.
19.32	7I	The basis for LOE 321438 is the Regional Monitoring Program for Trace Substances results from 1993 to 2008 that included the collection of *Corbicula* (clams) near to the Sacramento River downstream from Emmaton near to Sherman Lake. Eight clam tissue composite values compared to the twelve reported could be identified to perform the calculations with the information provided. LOE 321438 specifies that the twelve datapoints were assessed by converting the dry weight results to a wet weight and then converting the total arsenic to inorganic arsenic (iAs) assuming a 10 percent speciation. No justification for the speciation is provided. Other studies indicate that speciation to iAs, while site-specific, is generally much lower than 10 percent in fish muscle tissue.[10] Actual iAs may be in the fraction of a percent as most arsenic would be expected to be in the organic form. Moreover, the reported results are comparable to *Corbicula* tissue concentrations in other regions that are considered pristine ("comparable to concentrations in bivalves and sediments from uncontaminated estuaries").[11] [Footnote 10: Pei J, Zuo J, Wang X, Yin J, Liu L, Fan W. The Bioaccumulation and Tissue Distribution of Arsenic Species in Tilapia. Int J Environ Res Public Health. 2019 Mar 2;16(5):757. doi: 10.3390/ijerph16050757. PMID: 30832351; PMCID: PMC6427281. [Footnote 11: Carolyn Johns and Samuel N. Luoma, USGS. *Arsenic in Benthic Bivalves in San Francisco Bay and the*

Comment ID	Comment Category	Comment
		Sacramento/San Joaquin Estuary River Delta. 1990 Elsevier Science Publishers B.V.
19.33	7I	The study report generated for the dataset used for LOE 321438 concluded that arsenic concentrations did not show evidence of bioaccumulation: “Several other trace elements (arsenic, silver, lead and zinc) are usually below guidelines and/or have shown no evidence of bioaccumulation or association with biological effects in the Estuary.”[12] Reference No. 3756 (USEPA, 2000)[13] states that: “Because it is the concentration of inorganic arsenic in fish and shellfish that poses the greatest threat to human health, EPA recommends that total inorganic arsenic (not total arsenic) be analyzed in contaminant monitoring programs.” [Footnote 12: 12 SFEI. *San Francisco Estuary Regional Monitoring Program for Trace Substances 1996 Annual Report*. December 1997. [Footnote 13: USEPA Office of Water. *Guidance for Assessing Chemical Contaminant Data for Use in Fish Advisories. EPA 823-B-00-007. November 2000.*
19.34	7I	Reviewing one proposed listing that incorporates these OEHHA values reveals a number of serious issues. Decision ID 156975 for arsenic in the San Joaquin River (Delta) replicates the issue for Decision ID 156838, and more listings are included for dieldrin, DDT, and PAHs using OEHHA screening levels.
19.35	7I	CVCWA requests that OEHHA screening levels be removed from all uses in the Draft Integrated Report datasets. This is not how the screening levels were intended to be used by the state agency that developed them, and it is unreasonable to expect stakeholders to comb through the data and references to discern how the values are interpreted and applied in individual fact sheets.
19.36	7G	Pyrethroid Assessments in the Central Valley: Specifically, the methodology from the Central Valley Pyrethroid Control

Comment ID	Comment Category	Comment
		Program considers the dissolved fraction, summation of the six significant pyrethroid pesticides, and includes a one significant figure calculation methodology for the concentration goal unit (CGU). This is in addition to quality control requirements for the data. There are multiple cases where the proposed listings for waterbodies in Region 5 do not use this methodology. The table below shows issues for several Decision IDs.
19.37	7G	Decision 158798; LOE 332576; Lone Tree Creek; Error Type: Use of the Central Valley methodology reduces the number of exceedances by 6.
19.38	7G	Decision 159961; LOE 330811; Salt Slough (Mud Slough to Sand Dam, Merced County); Error Type: Multiple samples used as exceedances were annotated as needing data quality review. Central Valley methodology reduces the number of exceedances.
19.39	7G	Decision 159316; LOE 332599; Cottonwood Creek (S Madera County) Error Type: Use of the Central Valley methodology reduces the number of exceedances.
19.40	7G	Decision 159485; LOE 332558; Duck Creek; Error Type: One sample used as exceedances was annotated as needing data quality review. Central Valley methodology reduces the number of exceedances.
19.41	7G	CVCWA requests that the State Water Board apply the Central Valley methodology for pyrethroid constituents in the listing process. After reprocessing the data, CVCWA requests that the State Water Board reconsider whether the Region 5 pyrethroid listings are still necessary.
19.42	7F	pH: There are multiple pH-based listings in the Draft Integrated Report that inappropriately classify pH as a toxic rather than a conventional constituent. The Basin Plan objective for pH is a range of 6.5 to 8.5, which is not based

Comment ID	Comment Category	Comment
		on any specific toxic endpoint but rather is used as a general indicator of a healthy stream. This is most appropriately considered a "conventional" measurement. Moreover, 40 C.F.R. § 401 .16 specifies that pH is a conventional constituent. Any pH listings should be considered as conventional pollutant listings subject to the binominal distribution test of Table 3.2 of the Listing Policy.
19.43	7D	Additionally, isolated use of pH measurements from a specific study does not always consider the readily available sensor data in major waterways. For example, the proposed listing for pH in the Sacramento River ignores the millions of datapoints collected at various sensor locations for decades in which pH is never outside the Basin Plan range of 6.5 to 8.5. Factoring in these datapoints and considering the distribution under Table 3.2, CVCWA questions why there are pH listings for the Sacramento River.
19.44	7D	Specifically, in Decision ID 156827 for Sacramento City Marina, LOEs 321754 and 69585 are both based on 2006 Department of Pesticide Regulation Marina sample collection at Sacramento Marina. The study design included four sample locations inside the marinas and four reference locations over three different events. Only the reference locations were used for the listing evaluation. There are multiple issues with the listing:
19.45	7D	As stated above, pH should be considered a conventional constituent subject to Table 3.2 of the Listing Policy. The number of exceedances for the two LOEs does not meet this threshold.
19.46	7D	The fact sheet discussion for both LOEs does not correctly characterize the naming conventions for the sites. The study has eight sites, four each within the Marina and reference sites. Each “site” name is indicated by an event number (one through three). Therefore site “3.2” refers to site location 3 and event number 2. LOE 69585 states that “Stations 4.1, 4.2 and 4.3 were averaged into one value,”

Comment ID	Comment Category	Comment
		meaning the three separate temporal (monthly) events were averaged together.
19.47	7D	Based on the narrative information provided, sites 5 through 8 are in the Sacramento River (i.e., “reference”). However, it is not clear in the project documents where samples were collected, and the coordinate accuracy locates only site 8 in the Sacramento River, as sites 5 through 7 are located on land. Sites 6 and 7 are approximately 200 m apart and should be grouped together.
19.48	7D	Sample measurement of pH can be biased when characterizing a larger body of water as point measurements are subject to highly localized conditions, especially in hydraulically isolated conditions which can occur when collecting side back samples at the surface in a stagnant area. Moreover, pH sensors can be sensitive to measurement methods that do not provide accurate flow-through of sample, and measurement methods (QAPP, etc.) were not provided with the project information.
19.49	7D	The proposed listing uses a limited number of datapoints for sites 5 through 8 without consideration for the continuous measurement of pH in the Sacramento River nearby at Hood where millions of datapoints are collected and have never been outside the Basin Plan limitations (6.5 to 8.5).
19.50	7D	For these reasons, CVCWA requests that the pH listing for Sacramento City Marina be removed. Other Sacramento River locations should also be reconsidered for pH based on the same issues.
19.51	7F	For similar reasons, the proposed listing in Decision ID 160592 for Delta Mendota Canal for PH should be removed. Applying Table 3.2 of the Listing Policy for conventional pollutants, in all three LOEs (31 1332, 311306, and 332436), the number of exceedances does not meet the Table 3.2 requirements to list as impaired.

Comment ID	Comment Category	Comment
19.52	7V	Alkalinity: The Draft Integrated Report recommends listing seven waterbodies for low alkalinity based on the National Recommended Aquatic Life Criteria continuing Freshwater Criterion Continuous Concentration (CCC) or aquatic life chronic value. The 1986 CCC of 20 mg/L "is a minimum value except where alkalinity is naturally lower, in which case the criterion cannot be lower than 25% of the natutral level."[14] All the waterbodies are in Tuolumne County and are likely all naturally low. There is no consideration in the listing for natural conditions, and the water quality objective is erroneously applied. All of the listings are for waterbodies that directly receive Sierra Nevada snowmelt, which is commonly known to be low alkalinity.[15] The alkalinity reported for all the waterbodies is within expected measurements for snowmelt over granite drainages. • Maclure Creek (Tuolumne River) (Decision ID 160395) Within Yosemite National Park • Delaney Creek (Tuolumne County) (Decision 160615) Within Yosemite National Park, Tuolumne Meadows • Dog Creek (Tuolumne County) (Decision 160615) Within Yosemite National Park, Tuolumne Meadows • Tuolumne River east of Hetch Hetchy Reservoir (Tuolumne County) (Decision 160320) Within Yosemite National Park, Tuolumne Meadows • Lower Young Lake (Tuolumne County) (Decision 160660) Within Yosemite National Park, Alpine Lake Above Tuolumne Meadows • Lyell Canyon Fork (Tuolumne County) (Decision 160667) Within Yosemite National Park, draining Mt. Lyell along Sierra Nevada crest • Don Pedro Lake (Decision 158707) Reservoir fed by Tuolumne River drainage from Sierra Nevada snowmelt CVCWA requests that these listing be removed. [Footnote 14: U.S. Environmental Protection Agency, National Recommended Aquatic Life Criteria table, *available at* https://www.epa.gov/wqc/national-

Comment ID	Comment Category	Comment
		recommended-water-quality-criteria-aquatic-life-criteria-table. [Footnote 15: Clayton, James L. 1998. Alkalinity generation in snowmelt and rain runoff during short distance flow over rock. Res. Pap. RMRS-RP-12. Ogden, UT: U.S. Department of Agriculture, Rocky Mountain Research Station. 7 p. https://www.fs.usda.gov/rm/pubs/rmrs rp012.pdf.
19.53	7H	Aluminum: There are two new listings decisions for Aluminum, one based on total aluminum data from 2007-2010 (Decision ID 156968) and the other based on dissolved aluminum data from 2017-2018 (Decision ID 159502). Notably, Decision ID 159502 cited data (Ref No. 6224) that does not include pH or TOC values used to calculate bioavailable aluminum, and the listing does not provide the default values they used in lieu of actual pH or DOC data. Those values are needed to verify the exceedances that form the basis for the listing. Of the three dissolved aluminum results, two are DNQ. CVCWA requests that the State Water Board consider whether these listings meet the requirements of Table 3.1 of the Listing Policy, given the small sample size and the outdated nature of the data cited in the LOEs.

Letter 20: City of Lathrop

Comment ID	Comment Category	Comment
20.01	7K	We appreciate the opportunity to provide comments on the proposed Clean Water Act section 303(d) list for the 2026 California Integrated Report.
20.02	7W	**Decision ID 169207 to list DDT in the San Joaquin River (in Delta Waterways, southern portion)** The San Joaquin River (in Delta Waterways, southern portion) is proposed to be listed for DDT

Comment ID	Comment Category	Comment
		dichlorodiphenyltrichloroethane). This decision is based on exceedances of the evaluation criterion for fish tissue concentrations of DDT in two of two samples from the San Joaquin River (LOE ID 321552). Several concerns with this listing and its consistency with the Listing Policy are as follows. The two largemouth bass samples (2 fish) informing LOE 321552 were collected on 11/9/1992 and 11/16/1993 from the San Joaquin River 1.5 miles upstream from the Mossdale boat launch ramp as part of the Toxic Substances Monitoring (TSM) Program. Thus, these data are over 30 years old and are the sole reason for this decision to list a pesticide that was banned throughout the United States in 1972. Recent OEHHA (2022) health advisory guidance indicates that TSM Program data for DDT are not as reliable as recent data due to improved analytical methods and are not representative of current fish tissue DDT concentrations. > "Organic data (chlordanes, DDTs, dieldrin, PBDEs, PCBs, or toxaphene) generated prior to 2000 were excluded from the analysis because more recent data are considered more reliable due to improved analytical methods and are likely to be more representative of fish caught today." Footnote d to Table 1 in OEHHA 2022 Using more recent data, OEHHA (2022) concluded "Concentrations of chlordanes, dieldrin, DDTs, PBDEs, selenium, and toxaphene were lower than the corresponding ATL threshold values for daily consumption (OEHHA, 2008 and 2011)." Hence, the 1992 and 1993 data used in this LOE should not be considered reliable or representative. Moreover, a Quality Assurance Project Plan (QAPP) is not associated with this LOE. These DDT data do not have detection limits according to the database description associated with the results (Ref2926). The QAPP information provided for these data is a "Toxic Substances Monitoring Program 1992-93 Data Report." However, this report is not available in the Appendix B – *Statewide*

Comment ID	Comment Category	Comment
		Waterbody Fact Sheets as the linked reference (ref4510) is only a placeholder page stating “This is an empty reference added to the system to allow past cycle LOEs to be moved to an updated water body using an LOE moving tool.” The QAPP Information Reference(s)[1] also states that there is no quality assurance information. The data used for this decision to include DDT on the 303(d) list for the Joaquin River (in Delta Waterways, southern portion) were not collected under a QAPP and it is not clear that they meet the data quality required to inform 303(d) listing decisions. Section 6.1.4 of the 2015 Listing Policy states that data of sufficient quality are to be used in making listing decisions and such data are collected under a QAPP. TSM Program data are not specified in the 2015 Listing Policy as exempt from QAPP requirements. Furthermore, the evaluation guideline used in the listing decision to assess commercial or sport fishing (COMM) Beneficial Use was a 100 ng/g OEHHA Screening Value (Brodberg & Pollock 1999). This is not the most current published value determined to be protective of human health. The lowest OEHHA (2022[2], 2008[3]) Advisory Tissue Levels for total DDTs in fish is 220 ng/g for the highest consumption frequency category. Concentrations of total DDTs were reported to be 100 ng/g and 140 ng/g as wet weights, which are below the current OEHHA (2022) guideline. *Requested changes to the listing decision for DDT in the San Joaquin River (in Delta Waterways, southern portion) and other Central and South Delta waterbody listings for organics* First, we request that the decision to “List on 303(d) list (TMDL required list)” DDT in the San Joaquin River (in Delta Waterways, southern portion) be changed to “do not list” due to insufficient information, because the data informing the draft listing decision 1) were not collected under a QAPP and do not meet the data quality required to inform 303(d) listing decisions, 2) are considered outdated

Comment ID	Comment Category	Comment
		by OEHHA (2022) and do not represent current conditions, and 3) are below the current regulatory guidelines for the protection of human health. Details of these listings are provided in **Attachment B** using the State Water Board template for comment reporting. [Footnote 1: https://waterboards.ca.gov/water_issues/programs/tmdl/2025_202state_ir_reports/apx-b-factsheets/04090.shtml [Footnote 2: OEHHA. 2022. Health Advisory and Guidelines for Eating Fish from the Central and South Sacramento-San Joaquin Delta (Contra Costa, Sacramento, and San Joaquin Counties) (https://oehha.ca.gov/media/downloads/advisories/fishadvisorycentalsouthdeltareport2022.pdf) [Footnote 3: OEHHA. 2008. Fish Contaminant Goals and Advisory Tissue Levels for Evaluating Methylmercury, Chlordane, DDTs, Dieldrin, PCBs, Selenium, and Toxaphene in California Sport Fish (https://oehha.ca.gov/fish/report/fish-contaminant-goals-and-advisory-tissue-levels-evaluating-methylmercury-chlordane-ddts-dieldrin)
20.03	7W	Second, we are aware that the DDT listing for the San Joaquin River (in Delta Waterways, southern portion) was historically considered an impairment of the entire South Delta, along with several other listings for organochlorine chemicals that were banned like DDT (i.e., PCBs, chlordane, dieldrin, PAHs, etc). We request that the State Water Board reevaluate the other organochlorine chemical listings to determine if they are based solely on historical data that may not be relevant, of questionable reliability, and need to be compared with the current OEHHA (2022) health advisory guidance.

Letter 21: City of Roseville

Comment ID	Comment Category	Comment
21.01	7K	We appreciate the opportunity to provide comments on the proposed Clean Water Act section 303(d) list for the 2026 California Integrated Report.
21.02	1F	**Decisions to list Benthic Community Effects in Pleasant Grove Creek and its Tributaries** Pleasant Grove Creek and several of its tributaries are listed as impaired for Benthic Community Effects due to unknown sources (**Table 1**). The 2026 draft Integrated Report and 303(d) list identifies these as new designations (i.e. "List on 303(d) list (TMDL required list)"). The prior decision in the 2024 Integrated Report and 303(d) list was "Do Not List on 303(d) list (TMDL required list)" due to insufficient information but beneficial uses are potentially impaired. Table 1: Listing decisions for Benthic Community Effects in Pleasant Grove and its tributaries. Our comment describes concerns with the listing decision for Benthic Community Effects in Pleasant Grove Creek and its tributaries because the CSCI approach and evaluation guideline do not apply to intermittent (i.e., non-perennial) streams.
21.03	1F	Pleasant Grove Creek and its tributaries are located in the Central Valley and its tributaries are intermittent[2] according to the U.S. Geological Survey[3] (**Attachment B**). However, the CSCI was developed to assess benthic macroinvertebrate community health in perennial streams. The evaluation guideline reference provided with these listing decisions (Mazor et al. 2016[4]) communicates several times that the CSCI scoring tool and reference values were developed specifically for perennial streams, without any mention of non-perennial or intermittent waters. *"Our goal was to construct a scoring tool for perennial wadeable streams that provides consistent interpretations of biological condition across*

Comment ID	Comment Category	Comment
		environmental settings in California, USA." Mazor et al. 2016 (emphasis added) *"Thus, the index can be used to evaluate the condition of nearly all perennial streams in California, despite the region's considerable environmental and biological complexity." Mazor et al. 2016 (emphasis added)* *"The spatial and temporal breadth of sampling at reference sites provides confidence in the applicability of the CSCI for the vast majority of wadeable perennial streams in California." Mazor et al. 2016 (emphasis added) Mazor et al. 2016 (emphasis added)* [Footnote 2: A stream that flows only when it receives water from rainfall runoff or springs, or from some surface source such as melting snow (https://water.usgs.gov/waterbasics_glossary.html#Intermittent). [Footnote 3: USGS Topo Builder. Accessed March 26, 2025. https://topobuilder.nationalmap.gov/ [Footnote 4: Mazor, Rehn, Ode, Engeln, Schiff, Stein, Gillett, Herbst, and Hawkins. 2016. Bioassessment in Complex Environments:
21.04	1F	Without a consistent flow of water in Pleasant Grove Creek it is not surprising for CSCI scores to be lower in than in perennial reference streams. Benthic species and community composition in intermittent streams could differ from those in perennial streams due to wetting/drying cycles depending on the frequency, duration, and the timing of sampling in relation to wetting/drying. Thus, it is not appropriate to compare benthic macroinvertebrate community health in an intermittent stream with the CSCI reference stream condition for perennial streams.

Comment ID	Comment Category	Comment
21.05	1F	The State Water Board Surface Water Ambient Monitoring Program (SWAMP) recognized this challenge in stating the following. "*Bioassessment of freshwater stream and rivers is especially challenging in such a region because the reference condition, or the benchmark of biological condition expected when human disturbance in the environment is absent or minimal, varies greatly among natural stream types."* SWAMP 2024a[5] Use of the CSCI for intermittently wetted streams (dry for 6 months or more) is currently being researched by SWAMP in partnership with the Southern California Coastal Watershed Research Project (SCCWRP) and others[6]. Recently, SWAMP[7] recognized concerns over the appropriateness of using the CSCI score of 0.79 as an evaluation guideline in streams in the Central Valley region because this CSCI reference condition is based on 600 unaltered California streams, only one of which is from the Central Valley. SCCWRP[8] found that the threshold CSCI score of 0.79 may not be an appropriate metric for assessing the benthic community health for intermittent streams and streams on the valley floor and in xeric portions of northern California. SCCWRP recognized the bias in CSCI reference conditions due to the absence of reference streams from the Central Valley and, based on a provisional analysis, that the CSCI may need to be recalibrated or modified for use in intermittent streams in xeric regions of northern California. Alternative reference-based thresholds were offered for these stream types as an *interim* measure for determining benthic community health. The highest quality streams in the Central Valley floor have CSCI scores approximately 10% lower than the 0.79 reference value. Thus, the statewide CSCI evaluation guideline has not been demonstrated to be applicable throughout the Central Valley. One of SCCWRP's alternative approaches for evaluating benthic community health in the Central Valley was a comparison with best observed conditions in this region. The algal stream condition index (ASCI) was supported as another option.

Comment ID	Comment Category	Comment
		Thus, appropriate assessment methods for these waterbodies are being considered. [Footnote 5: Rehn, Mazor, and Ode. 2024a. The California Stream Condition Index (CSCI): A New Statewide Biological Scoring Tool for Assessing the Health of Freshwater Streams. SWAMP Technical Memorandum SWAMP-TM-2020-0002. https://www.waterboards.ca.gov/water_issues/programs/swamp/bioassessment/docs/csci_tech_memo.pdf [Footnote 6: Weber and Yang. 2015. The California Stream Condition Index (CSCI). December. Prepared for SWAMP, CDFW, SCCWRP. https://www.waterboards.ca.gov/water_issues/programs/swamp/bioassessment/docs/csci_factsheet.pdf [Footnote 7: Rehn, Mazor, and Ode. 2024a. The California Stream Condition Index (CSCI): A New Statewide Biological Scoring Tool for Assessing the Health of Freshwater Streams. SWAMP Technical Memorandum SWAMP-TM-2020-0002. https://www.waterboards.ca.gov/water_issues/programs/swamp/bioassessment/docs/csci_tech_memo.pdf [Footnote 8: Mazor, Rehn, Lombardo, and Sutula. 2024b. A Technical Foundation for Biointegrity and Eutrophication Indicators and Thresholds for Modified Channels, Intermittent Streams, and Streams on the Central Valley Floor. SCCWRP Technical Report 1367.
21.06	1A	The State Water Board's 2015 Listing Policy (section 6.1.3) states that to select an evaluation guideline the State Water Board shall "Identify the appropriate interpretive evaluation guideline that potentially represents water quality objective attainment or protection of beneficial uses." An evaluation guideline can be used if it can be demonstrated that the guideline "Identifies a range above which impacts occur and below which no or few impacts are predicted." The 0.79 CSCI reference value should not be used as the evaluation guideline for benthic macroinvertebrate data collected for Pleasant Grove Creek and its tributaries because it was not

Comment ID	Comment Category	Comment
		developed for intermittent streams or based on reference conditions from the Central Valley floor. Thus, it does not convey a range above (or below) which impacts occur in this type of waterbody.
21.07	1F	We request that the decision to “List on 303(d) list (TMDL required list)” Benthic Community Effects in Pleasant Grove Creek and its tributaries be changed to “do not list” due to insufficient information, because the 0.79 CSCI evaluation guideline for perennial streams is not applicable to these intermittent streams in xeric portions of northern California. Biological indices that are appropriate for assessing the health of benthic communities in intermittent streams need to be developed and validated before bioassessment data from intermittent streams are used to determine if the waterbody is impaired for Benthic Community Effects. Details of these listings are provided in **Attachment C** using the State Water Board template for comment reporting.
21.08	1F	Attachment C: Data associated with comments on the draft in the draft 2026 California Integrated Report 303(d) List Attachment C, Table 1. Information supporting the City of Roseville’s comment on the draft 2026 California Integrated Report 303(d) decisions to list Benthic Community Effects in Pleasant Grove Creek and its tributaries.

Letter 22: City of Stockton and County of San Joaquin

Comment ID	Comment Category	Comment
22.01	7K	The City of Stockton (City) and County of San Joaquin (County) (collectively "Permittees") appreciate the opportunity to review and provide comments on the Draft 2026 California Integrated Report (2026 Draft Report).

Comment ID	Comment Category	Comment
22.02	3A	It is important to ensure that the waterbody-pollutant combinations that are included on the 303(d) list accurately reflect current conditions for waters of the United States since these listings have significant and immediate resource impacts on the City and County. For example, the municipal stormwater permit that regulates the City and County[2] requires that, as a part of the development of the Stormwater Management Plan, the Permittees must develop a list of water quality constituents that may be adversely impacting water quality. The assessment of receiving waters includes an evaluation of all 303(d) listed waterbodies and associated pollutants[3] and ultimately developing a plan with specific strategies and actions to address the priority water quality constituents. [Footnote 2: Order RS-2016-0040] [Footnote 3: Order RS-2016-0040; Part V.E.1.a.i.(2), page 26]
22.03	7K	In reviewing the Draft Report, we have some concerns with several of the proposed listings in the Central Valley region. In addition, the Permittees support the comments and recommendations submitted by the California Stormwater Quality Association (CASQA).
22.04(a)	1G	Benthic Community Effects Listings (Region 5 Waterbodies) - Flyaway Gulch (Mariposa County; Decision ID 171022); Tuolumne River, Lower (Don Pedro Reservoir to San Joaquin River; Decision ID 171848); Marsh Creek (Dunn Creek to Marsh Creek Reservoir; Decision ID 171029); Salt Slough (Mud Slough to Sand Dam, Merced County; Decision ID 171846); Salt Slough (upstream from confluence with San Joaquin River; Decision ID 171847); Orestimba Creek, east of the Delta Mendota Canal (Stanislaus County; Decision ID 171033); San Joaquin River (Friant Dam to Mendota Pool; Decision ID 171837) Listing Decision - The City and County support and reiterate the concerns raised in the CASQA comment letter regarding the new and recategorized listings of waterbodies

Comment ID	Comment Category	Comment
		within the Central Valley to the 303(d) list (Category 5). The key concerns for the Central Valley include:
22.04(b)	1B	• The listing of waterbodies for benthic community effects in Category 3 is consistent with California's adopted water quality control policy for developing the Clean Water Act section 303(d) list (Listing Policy) Section 3.9. A benthic community water quality limited segment shall only be placed on the 303(d) list as Category 5 requiring a TMDL if two conditions are met: ○ 1) The water segment exhibits significant degradation in biological populations and/or communities as compared to reference site(s); AND ○ 2) The above-referenced significant degradation is associated with water or sediment concentrations of pollutants
22.04(c)	1C	• The requirement to list a water quality limited segment (WQLS) in category 5 unless the State can demonstrate that no pollutant(s) causes or contributes to the impairment is an inappropriate burden for benthic community effects and is not a regulatory requirement.
22.04(d)	1C	• The requirement to list a WQLS in category 5 without an Identified, associated cause(s) places a significant resource and regulatory burden on the affected agencies to conduct the necessary studies to determine the cause(s) and source(s).
22.04(e)	1B	• Although USEPA issued the Partial Approval/Disapproval of the 2024 California Integrated Report letter on December 12, 2024, comments regarding this decision were accepted on January 15, 2025, and have not yet formally been responded to. Therefore, the USEPA approval/disapproval is still open and subject to

Comment ID	Comment Category	Comment
		change. Until the USEPA position on this matter is finalized and comments addressed, the State Water Board's approach to the 2026 listings should fully conform to the adopted California Listing Policy and approach used for the 2024 Integrated Report.
22.04(f)	1G	In addition to the above, the City and County have significant concerns about the use of the California Stream Condition Index (CSCI) score and lack of representative reference sites for the waterbodies within the Central Valley floor as well as the use of the 0. 79 CSCI score as a "bright line" threshold for every type of receiving water, including highly modified channels. Until these technical and policy issues are resolved as a part of the State Water Board Blostimulation, Cyanotoxins, and Biological Condition Provisions, these water bodies should be placed in Category 3. *Recommendation: Place all new and recategorized benthic community* effects *listings within the 2026 Draft Report in Category 3.*
22.05	7Q	Bear Creek (San Joaquin and Calaveras Counties; outside Delta Waterways) -Chlorpyrifos (Decision ID 159621[4]) Listing Decision - The listing decision that is identified for chlorpyrifos in Bear Creek was revised from "Do Not List on the 303(d) list" (2020-2022) to "List on the 303(d) list" (2026). In totality, three lines of evidence were used to assess this waterbody – pollutant combination and the decision to list is based on exceedances that occurred 15-20 years ago (1 exceedance in 2005[5] and 3 exceedances in 2011[6]). In fact, for the 2020-2022 California Integrated Report, the Regional Water Board and State Water Board determined, **based on the same data used for the 2026 Draft Report,** that Bear Creek should **not be listed** on the 303(d) list (Decision ID 118964) (see the table below). The Draft Staff Report does not provide any rationale as to why the State Water Board determined that the Bear Creek

Comment ID	Comment Category	Comment
		listing decision should be modified from "Do Not List" to "List on the 303{d} list" for 2026. This revised determination is particularly concerning since the Permittees have been working closely with the Regional Water Board to evaluate the progress and successes of the Sacramento-San Joaquin Delta Diazinon and Chlorpyrifos Total Maximum Daily Load (TMDL)[7]. The assessment analyzed data over a 12-year period (2004-2016) from the historic discharge and receiving water monitoring locations, recent monitoring efforts, and Pesticide Plan monitoring efforts. Key findings and observations from the TMDL Attainment Assessment included the following: • There was consistent attainment of the diazinon and chlorpyrifos TMDL targets in the receiving water, with no exceedances occurring since 2010. • A comparison of urban runoff data with the Waste Load Allocations (WLAs) indicated that the allocations were being attained overall and have rarely been exceeded. Monitoring at three of the four receiving water sites-Calaveras River, Mosher Slough, and Smith Canal - provided sufficient data over the entire data record (1997-2016), encompassing both wet and dry weather events, to perform a delisting analysis (>28 data points). Subsequent to this analysis, these three waterbodies were delisted. To this end, and as State Water Board staff know, retail sales of chlorpyrifos for home uses were banned effective December 31, 2001, and virtually all agricultural uses of chlorpyrifos in California ended in 2020. In the Final Summary of Comments and Responses for the 2024 California Integrated Report, the State Water Board noted the following when requested to reconsider the use of much older data as the basis for the 303(d) listings: "The Listing Policy does not limit the use of older data for assessment purposes, except in section 6.1.5.3, which states that, if the implementation of a management practice(s) has resulted in a change in

Comment ID	Comment Category	Comment
		a water body segment, then only data collected since the change should be considered." The Permittees submit that the significant statewide and federal actions that curtailed or eliminated the use of chlorpyrifos qualifies as a management practice that has resulted in the change of a water body segment and that only the last 10 years of data be used to characterize the current condition of Bear Creek. ***Recommendation: Reassess Bear Creek for chlorpyrifos using the last 10 years of data* so *that the current conditions of the waterbody are represented.*** [Footnote 4: https://www.waterboards.ca.gov/water_issues/programs/tmdl/2025_2026state_ir_reports/apx-b-factsheets/02098.shtml#159621] [Footnote 5: 7/27/2005] [Footnote 6: 2/24/2011, 10/27/2011, and 11/8/2011] [Footnote 7: City of Stockton and County of San Joaquin. Assessment *and Prioritization of Water Quality Constituents in the Stockton Urbanized Area.* May 30, 2017 [Revised October 2, 2018].]
22.06	7I	San Joaquin River (in Delta Waterways, western and central portions to Stockton Ship Channel) - Arsenic (Decision ID 156975) Listing Decision - The listing decision that is identified for arsenic in this portion of the San Joaquin River was revised from "Do Not List on the 303(d) list" (2020-2022) to "List on the 303(d) list" (2026). In totality, ten lines of evidence were used to assess this waterbody - pollutant combination and the decision to list is based on exceedances that occurred 15-30 years ago. The line of evidence that this revised listing is based on was introduced for the first time into the 2026 California

Comment ID	Comment Category	Comment
		Integrated Report and includes data from 1993-1999 and fall 2008. The evaluation guideline that is cited is: 'The modified OEHHA Fish Contaminant Goal for arsenic in shellfish tissue is 0.0052 ppm. This screening level assumes an average body weight of 70 kg and a consumption rate of 21 g/day for a 30-year exposure over a 70-year lifetime." The Permittees have two primary concerns regarding this listing: 1) The guideline used as the basis for the listing identifies a risk associated with a longterm 30-year exposure, but there is a very limited dataset of only 12 data points that is being used to declare that the waterbody is impaired for arsenic for that specific beneficial use and exposure timeframe. This is counter to the other 9 lines of evidence which not only shows no impairment, but not one additional exceedance. 2) It is unclear why this 15-30-year old data was added for the first time into the 2026 Draft Report and how data was assessed.
22.07	7I	Although this comment specifically outlines the concerns regarding the Arsenic Decision ID, the comments, concerns, and recommendations are also applicable to three other Decision IDs: DDT (ID 169902), PAHs (ID 165334), and PCBs (ID 156989). *Recommendation for the following Decision IDs (156975, 169902, 165334, and 156989):* • *Maintain the listing decision that is identified for this portion of the San Joaquin River as "Do Not List on the 303(d) list".* • *Provide the full set of calculations and specific data and/or any transformations used to make the determination to list the San Joaquin River for Arsenic, DDT, PAHs, and PCBs.*

Comment ID	Comment Category	Comment
22.08	7A	Calaveras River, Lower (from Stockton Diverting Canal to the Delta Waterways) **Pesticides** [Decision IDs 160572, 160576, 160573, 160575, 160571, 168340] and Duck Creek (San Joaquin County) [Decision IDs 159489, 159485, 159502, 1594741, and Mormon Slough (from Stockton Diverting Canal to Bellota Weir - Calaveras River) [Decision IDs 158786, 158789] a) Analysis Conducted - Without an understanding as to what specific data was used for this analysis and the details of the analysis (see comment #5), it is unclear if the pesticide data was assessed using the approach specified within the Pyrethroid Control Program. This is especially true for the Calaveras River analysis, which is based on sediment samples instead of water quality samples. This comment was provided as a part of the permittees July 16, 2021 comments on the Draft 2020-2022 California Integrated Report and the Draft 2024 California Integrated Report. In response to the comment, State Water Board staff stated (in part)[8] that the data are provided in the references included as a part of the LOEs, the QA/QC procedures were run, and that the BPA includes the analysis procedures. While we appreciate the previous response, it does not fundamentally address the request that was made and we still do not have the analyses that were conducted (showing the work). Thus, the Permittees are making the same recommendations made in 2021 and 2024. *Recommendation: Provide the full set of calculations and specific data and/or any transformations used to make the determination to list the Calaveras River, Duck Creek, and Mormon Slough for Pyrethroids, Bifenthrin, Cyhalothrin, Cypermethrin, and Deltamethrin.*
22.09	7A	Listing Decision - The listing decisions identified for these waterbody-pollutant combinations is "List on the 303(d) List

Comment ID	Comment Category	Comment
		(TMDL required list)." However, in June 2017, the Central Valley Regional Water Quality Control Board adopted a Basin Plan Amendment for the Control of Pyrethroid Pesticide Discharges, which established pyrethroid concentration goals and a program of implementation for surface waters in the Sacramento and San Joaquin River watersheds of the Central Valley. Since there is already a comprehensive regional, regulatory program in place that explicitly addresses pyrethroid pesticides, any potential new listings should be listed in a more representative category such as: Category 4b - Another regulatory program is reasonably expected to result in attainment of the water quality standard within a reasonable, specified time frame; Category 5R - At least one designated use Is not supported and a TMDL is needed, but assigned a low priority for TMDL development because an Advance Restoration Plan ("ARP") is being pursued.
22.10	7A	This comment was provided as a part of the Permittees July 16, 2021, comments on the Draft 2020-2022 California Integrated Report and for the Draft 2024 California Integrated Report. In response to the comment State Water Board staff stated (in part)[10]**:** "Categorizing a waterbody as 4b or 5alt requires evidence of reasonable assurance that water quality standards will be attained in a reasonable period of time or of a plan to address the impairment. Depending on the sources contributing to the pyrethroids impairment of a waterbody and if the waterbody is part of a program or has an established plan that accounts for the management of all these sources (e.g., the irrigated lands regulatory program ["ILRP"]), an approved pyrethroids management plan may be adequate to categorize a waterbody in 4b or 5alt. Future categorization of pyrethroids-impaired waterbodies into Category 4b or 5alt shall be

Comment ID	Comment Category	Comment
		considered in future Integrated Report cycles as additional information is provided. The Water Board recognizes the value of non-TMDL programs to address impaired waterbodies and acknowledges that the development of a TMDL may be unnecessary or duplicative in certain cases." The response provided above and the listing of any new waterbody – pollutant combinations within the Sacramento River and San Joaquin River basins for pyrethroids (or individual pyrethroid compounds) seems to contradict the basis of and goals set forth within the Central Valley Pyrethroid Control Program.
22.11	7A	Thus, if there is a comprehensive program to control the discharges of pesticides that pose a risk to surface water quality in the Sacramento River and San Joaquin River basins, which includes a current conditional prohibition to all water bodies with aquatic life beneficial uses, then it is unclear why future water body pollutant combinations would not be placed in Category 4b, 5R. *Recommendation: Any new listings for pyrethroids or pyrethrold constituents* *within the Sacramento and San Joaquin River watersheds should be listed in another, more representative category such as Category 4b or Category 5R.*
22.12	7T	Pixley Slough (San Joaquin County; outside Delta waterways) **Zinc** [Decision ID 166510] Analysis Conducted The City and County were unsure what specific data was used for this analysis as well as the details of the analysis (see comment #5) and reached out to the State Water Resources Control Board staff for clarification. Based on the discussion with Board staff, it appears that there were several potential issues with this and other, related listings including the following:

Comment ID	Comment Category	Comment
		• The raw data in data ref2559 was mistakenly read as g/L due to the addition of the "=I" symbol in the unit field. • It was unclear what hardness value was used for the calculations. *Recommendations:* • *Provide the updated data analysis and determination if Pixley Slough should be listed for Zinc.* • *If the water body should be listed, provide the full set* of *calculations and specific data* and/or *any transformations used to make the determination.*
22.13	4A	Data and Analysis Transparency In order to conduct a thorough review of the Draft 2026 Integrated Report, it is critical to have a fully transparent process so that the public understands what specific data was used, what guidelines/water quality objectives were used, what analyses were conducted, and the conclusions of the analyses. While the waterbody fact sheets communicate much of this information, **the key elements that are missing for full transparency are the specific data used for the analysis {not Just a reference to the type of data and a massive spreadsheet) and the actual analysis {showing the work).** Without this level of detail in the waterbody fact sheets and/or the accompanying spreadsheets, each person reviewing the Draft Report is required to sift through thousands of lines of data attempting to recreate the analysis that was conducted by State Water Board or Regional Water Board staff. In fact, while the State Water Board and Regional Water Board staff had many months to complete these analyses, the public was only provided a limited time period to complete the review and provide comments. Since this is work that was completed in order to develop the Draft Report, the information should be provided as a part of the documentation so that the analysis is fully transparent and able to be reviewed by the public.

Comment ID	Comment Category	Comment
22.14	4A	This comment was provided as a part of the Permittees July 16, 2021 comments on the Draft 2020-2022 California Integrated Report as well as the Draft 2024 California Integrated Report. In response to the comment State Water Board staff responded (in part)[11]: "The State Water Board also recognizes the value of providing detailed information when communicating quantitative analyses and assessment methodologies used during the compilation of the Integrated Report to ensure replicable data analysis." "A more detailed description of quantitative analysis and methodologies for all pollutants could be beneficial. As part of State Water Board efforts to improve transparency related to the assessment procedures, staff are working to communicate the details of analysis methodologies more clearly." While we appreciate the various tools that have been provided during the review process and the narrative descriptions, we are requesting that the specific data used and the quantitative analyses that were conducted in order to make these determinations are provided for full public review. ***Recommendation: Provide the specific data used in the analyses and the actual, quantitative analyses conducted for each listing to allow for a full review of the Draft 2026 Integrated Report.*** [Footnote 11: Revised Summary of Comments and Responses, Statewide Clean Water Act Section 303(d) List Portion of the 2020-2022 California Integrated Report, Section 4.3. February 16, 2022.]

Letter 23: City of Turlock

Comment ID	Comment Category	Comment

23.01	7T	**Decision ID 159185 in the San Joaquin River (Merced River to Tuolumne River)** The San Joaquin River (Merced River to Tuolumne River) is proposed to be listed for zinc based on exceedances of the evaluation guideline at stations 541STC507 (LOE ID 346146) and 535STC504 (LOE ID 346161) where the beneficial use is Municipal & Domestic Supply (MUN). The evaluation guideline for zinc associated with this beneficial use is the secondary Maximum Contaminant Level of 5 milligrams per liter (mg/L) as a dissolved fraction assessed as an annual average. However, data associated with this listing do not exceed the evaluation guideline. Dissolved zinc concentrations in 6 of 19 water samples exceeding the evaluation guideline are described in Appendix B – *Statewide Waterbody Fact Sheets* as the basis for this listing decision. The SWAMP BDAT data1 linked from the listing decision and supporting information2 accessed from *Appendix D – Map and Visualization Tool for the 2026 California Integrated Report* include 52 records of dissolved zinc in normal surface water grab samples from stations 541STC507 (LOE ID 346146) and 535STC504 (LOE ID 346161). None of these reported concentrations exceed the evaluation guideline. The maximum dissolved zinc concentration reported is 9 micrograms per liter (µg/L). The maximum concentration of total zinc reported from these two stations is 20 µg/L.
23.02	7M	In addition, the SWAMP (2002) Quality Assurance Project Plan (QAPP) is listed as a source of quality assurance information for these samples in Appendix B – *Statewide Waterbody Fact Sheets*. Zinc data for these two locations were collected between 1995–2002. Thus, most of the data evaluated predate the referenced QAPP document. The <QC Description> field in the SWAMP BDATA data also states “Historical, no supporting QC data.” Thus, it is unclear how data collected prior to 2002 were collected under a SWAMP (2002) QAPP or that they meet the data quality required to inform 303(d) listing decisions. Section 6.1.4 of the 2015 Listing Policy states that data of sufficient quality are to be used in making listing decisions and such data are collected under a QAPP.

23.03	7M	We request that the decision to “List on 303(d) list (TMDL required list)” zinc in the San Joaquin River (Merced River to Tuolumne River) be changed to “do not list”. Details of this listing decision are provided in **Attachment B** using the State Water Board template for comment reporting.

Letter 24: Sacramento Stormwater Quality Partnership

Comment ID	Comment Category	Comment
24.01	7K	We reviewed the draft 303(d) List of the 2026 California Integrated Report and have identified incorrect listings and other inconsistencies, summarized below by Decision ID. Additionally, the Partnership identified general issues regarding data representativeness of current condition and application of screening values or benchmarks.
24.02	4B	USE OF NON-CHARACTERISTIC DATA The Draft 2026 California Integrated Report references several datasets that are decades old and should not be considered representative of current or recent conditions. The inclusion of older data is referred to in the Draft 2026 California Integrated Report as “remapping”. The following datasets were considered and resulted in listings: • Toxic Substances Monitoring Program (TSMP): Freshwater Bioaccumulation Monitoring: TSMP Data 1978-2000. State Water Resources Control Board, Division of Water Quality; • Toxic Substances Monitoring Program: Freshwater Bioaccumulation Monitoring Program 2001-2003. State Water Resources Control Board, Division of Water Quality. Unpublished Data; • Regional Monitoring Program data, February 1993-September 2008 for the San Francisco Bay Regional Monitoring Program, sometimes incorrectly referred to as the Delta Regional Monitoring Program; and • Sacramento River Watershed Program Annual Reports for 1999-2000, 2000-2001, 2001-2002, 2002-2003, and 2003-2004; and BDAT data 1998-2003.

Comment ID	Comment Category	Comment
24.03	4B	Section 6.1.5.3 of the Water Quality Control Policy for Developing California's Clean Water Act Section 303(d) List "Listing Policy" (Temporal Representation) states that: *If the implementation of a management practice(s) has resulted in a change in the water body segment, only recently collected data [since the implementation of the management measure(s)] should be considered. The water quality fact sheet should describe the significance of the sample timing.* A number of significant changes have occurred in the Sacramento River watershed over the last twenty years that have impacted water quality. Flow operation of the Sacramento River and tributaries as well as the influence of climate change impact water quality and the distribution and range of fish. Over the last several decades, nearly all major publicly owned treatment works (POTW) dischargers have converted to advanced treatment and filtration and MS4 programs have implement low impact development standards. The Draft 2026 California Integrated Report does not consider any of these significant changes or evaluate representativeness of data that are older than previous listing cycles.
24.04	4B	*The Partnership requests that data more than twenty years old be removed from the Draft 2026 California Integrated Report datasets.*
24.05	7I	Office of Environmental Health Hazard Assessment (OEHHA) screening values are inappropriately applied both in their stated intent as well as, in some cases, the appropriate technical exposure pathway calculations performed in the Draft 2026 California Integrated Report.
24.06	7I	OEHHA screening values for fish tissue are also used extensively in the Draft 2026 California Integrated Report

Comment ID	Comment Category	Comment
		as specified in reference No. 449, which is intended for use in lakes “specifically” and not appropriate for other surface waters: *Screening Values were established in the QAPP for a number of chemicals specifically for the California Lakes Study. The Screening Value (SV) approach is recommended by USEPA (1995) to identify chemical contaminants in fish tissue at concentrations which may be of human health concern for frequent consumers of sport fish. The SVs are not intended as levels at which consumption advisories should be issued but are useful as a guide to identify fish species and chemicals from a limited data set, such as this one, for which more intensive sampling, analysis or health evaluation are to be recommended.* The OEHHA screening values are used in some of the incorrect proposed impairment listings below and, in some cases, use various effect factors (e.g., “potency”) to evaluate data compared to the thresholds. These effect factors are based on different pathways (exposure to vapor, lake consumption, etc.) than the applied use (consumption of tissue in Delta surface waters).
24.07	7I	*The Partnership requests that OEHHA screening values be removed from all uses in the Draft 2026 California Integrated Report datasets.*
24.08	7J	USE OF USEPA AQUATIC LIFE BENCHMARKS United States Environmental Protection Agency (USEPA) Office of Pesticide Programs (OPP) Aquatic Life Benchmarks (ALBs) are not appropriate for use as water quality objectives to determine impairments. OPP benchmarks are not developed by EPA as actionable thresholds, have not been adopted by the State of California as water quality objectives, and should not be used as evidence that a water quality standard has not been met. Impairment listings should not be based solely

Comment ID	Comment Category	Comment
		on comparisons of water quality monitoring data to OPP benchmarks. *The Partnership requests that USEPA OPP Aquatic Life Benchmarks be used only as secondary backup for other, primary evidence of water quality impairments in the Draft 2026 California Integrated Report datasets.*
24.09	7D	DECISION ID 156827: SACRAMENTO CITY MARINA - PH Both Line of Evidence (LOE) IDs 321754 and 69585 are based on 2006 Department of Pesticide Regulation (DPR) sample collection at the Sacramento Marina. The study design included four sample locations inside the marina and four reference locations. Three different sample events were spaced one month apart. The Partnership identified the following issues with this listing: pH should be considered a conventional constituent subject to Table 3.2 of the Listing Policy. The number of exceedances for the two LOEs does not meet this threshold. There is not a basis to consider pH toxic in the Water Quality Control Plan for the Sacramento and San Joaquin River Basins (Basin Plan) range of 6.5 to 8.5 standard unit (SU), which is not based on any specific toxic endpoint, but is used as a general indicator of a healthy stream and is most appropriately considered a “conventional” measurement. The Code of Federal Regulations (§ 401.16) specifies that pH is a conventional constituent pursuant to section 304(a)(4) of the Clean Water Act.
24.10	7D	The City of Sacramento Marina (Marina) is not within the legal definition boundary of the Delta (https://lab.data.ca.gov/dataset/i03-legaldeltaboundary) and should be removed from this cycle of the Integrated Report. Stations numbers 1 through 4 are not within the legal definition of the Delta and should be omitted.

Comment ID	Comment Category	Comment
24.11	7D	The fact sheet discussion for both LOEs does not correctly characterize the naming conventions for the sites. The study includes eight sites, four each within the Marina and reference sites. Each “site” name is indicated by an event number (one through three). Therefore, site “3.2” refers to site location 3 and event number 2. LOE 69585 states that “Stations 4.1, 4.2 and 4.3 were averaged into one value,” meaning the three separate temporal (monthly) events were averaged together.
24.12	7D	Sample measurement of pH can be biased when characterizing a larger body of water, as point measurements are subject to highly localized conditions, especially in hydraulically isolated conditions which can occur when collecting side back samples at the surface in a stagnant area. Moreover, pH sensors can be sensitive to measurement methods that do not provide accurate flow through the sample, and measurement methods (QAPP, etc.) were not provided with the project information. Using the limited number of data points in this case for sites 5 through 8 (assuming they are located in the Sacramento River) without consideration for the continuous measurement of pH in the Sacramento River nearby at Hood where fifteen-minute frequency data are collected and have never been outside the Basin Plan limitations (6.5 to 8.5 SU) as shown in **Figure 1**.
24.13	7D	Based on the narrative information provided, sites 5 through 8 are located in the Sacramento River (i.e., “reference”) and are used for the listing. However, it is not clear in the project documents where samples were collected. Coordinate accuracy locates only site 8 in the Sacramento River while sites 5 through 7 are located on land. Sites 6 and7 are approximately 200 meters apart and should be grouped together (see **Figure2**). None of the sites used as the basis for the proposed listing appear to be within the City of Sacramento Marina.

Comment ID	Comment Category	Comment
24.14	7D	The partnership requests that the pH listing for the City of Sacramento Marina be removed because it is not in the legal delta. The Sacramento River locations should also be omitted because they do not meet the minimum number of data points.
24.15	7I	DECISION ID 156838: SACRAMENTO RIVER - ARSENIC (CORBICULA TISSUE) Decision ID 156838 recommends listing arsenic in the Sacramento River (in Delta Waterways) as a Category 5 (needs TMDL) impairment based on one LOE (321438) out of eighteen evaluated. The basis for LOE 321438 is the Regional Monitoring Program for Trace Substances shellfish survey results from 1993 to 2008 collection of *Corbicula* (clams) near the Sacramento River downstream from Emmaton to Sherman Lake. With the information provided, only eight values compared to the twelve reported could be identified to perform the calculations. Additionally, the specific OEHHA reference used for the objective (0.0052 parts per million, ppm) could not be directly accessed from available materials or the OEHHA website. However, the LOE specifies that the twelve datapoints were assessed by converting the dry weight results to a wet weight and then converting the total arsenic to inorganic arsenic (iAs) assuming a 10% speciation. No justification for the speciation is provided and other studies indicate that speciation to iAs, while site specific, is generally much lower than 10% in fish tissue muscle. [2] Actual iAs may be in the fraction of a percent as most arsenic would be expected to be in the organic form. Moreover, the reported results are comparable to *Corbicula* tissue concentrations in other regions that are considered pristine ("comparable to concentrations in bivalves and sediments from uncontaminated estuaries").[3] The study report generated for the dataset used for LOE 321438 concluded that arsenic concentrations did not show evidence of bioaccumulation: "Several other trace elements (arsenic, silver, lead and zinc) are usually below guidelines and/or have shown no evidence of bioaccumulation or

Comment ID	Comment Category	Comment
		association with biological effects in the Estuary."[4] Reference No. 3756 provided with the LOE states that "Because it is the concentration of inorganic arsenic in fish and shellfish that poses the greatest threat to human health, EPA recommends that total inorganic arsenic (not total arsenic) be analyzed in contaminant monitoring programs." ***Because the recommended impairment listing uses an inappropriate speciation fraction (total arsenic instead of inorganic arsenic), the Partnership requests that the listing be removed.*** [Footnote 2: Pei J, Zuo J, Wang X, Yin J, Liu L, Fan W. The Bioaccumulation and Tissue Distribution of Arsenic Species in Tilapia. Int J Environ Res Public Health. 2019 Mar 2;16(5):757. doi: 10.3390/ijerph16050757. PMID: 30832351; PMCID: PMC6427281.] [Footnote 3: Carolyn Johns and Samuel N. Luoma, U.S. Geological Survey. *Arsenic in Benthic Bivalves in San Francisco Bay and the Sacramento/San Joaquin Estuary River Delta.* 1990 Elsevier Science Publishers B.V.] [Footnote 4: SFEI. *San Francisco Estuary Regional Monitoring Program for Trace Substances 1996 Annual Report*. December 1997.]
24.16	7O	DECISION ID 156842: SACRAMENTO RIVER (IN DELTA WATERWAYS, NORTHERN AND WESTERN PORTIONS) - CHLORDANE The LOE 321440 summation using either the five specified compounds or the "Sum of Chlordanes (SFEI)" values does not exceed the applied threshold in any of the 16 samples when adjusting the reported dry weight for percent moisture. Several of these samples are also missing the percent moisture for a sample collected on that day (1993-10-07, 1994-05-06, 1994-09-14, and 1996-05-02) and the total number of samples is thus twelve.

Comment ID	Comment Category	Comment
		LOE 321531 does not include data for the referenced 2005 samples as the data provided is not more recent 2004. ***Because the information provided does not demonstrate an impairment or exceedance of the applied threshold, the Partnership requests that the listing be removed.***
24.17	7U	DECISION ID 169193: SACRAMENTO RIVER (IN DELTA WATERWAYS, NORTHERN AND WESTERN PORTIONS) - DDT The Decision ID and finding to list the Sacramento River as impaired due to Dichlorodiphenyltrichloroethane (DDT) is based on data that are multiple decades old, data that are qualified, calculations that cannot be replicated, or refer to data that are not provided. Recalculation of LOE 321448 to consider data qualification and convert from dry weight to wet weight reduces the number of exceedances to three (from seven stated in the LOE). These data are multiple decades old. LOE 321535 is based on tissue-based exceedances of the threshold using data from 2005. However, while data are only provided in portable document format (PDF) report tables, the study report concluded that: *Consumption-weighted average concentrations of DDTs and dieldrin in fish from agricultural drains, and of PCBs in fish from major tributaries (American River and Feather River) and Delta locations exceeded screening values, but these results were dependent on very limited data for trophic level 3 species. Additional data are needed to adequately assess the potential risks for these waterbodies.* All samples for LOE 321531 are reported as “non-detect” (ND) or “detected, not quantifiable" (DNQ). The DDT summation provided by the San Francisco Estuary Institute (SFEI) also does not exceed the provided threshold in any cases.

Comment ID	Comment Category	Comment
		LOE 321534 is based on data from the 1990s and should include a total of seven samples. ***Because of the incorrect calculation, older non-representative dataset, and lack of verified exceedances, the Partnership requests that the recommendation to list DDT be removed.***
24.18	7N	DECISION ID 156847: SACRAMENTO RIVER (IN DELTA WATERWAYS, NORTHERN AND WESTERN PORTIONS) - DIELDRIN LOE 321537 specifies one exceedance of the threshold out of one sample. However, five identical records with unique tissue identifications are provided. All sample detection limits are all greater than the threshold. LOE 321538 is based on five tissue-based exceedances of the threshold using data from 2005. However, while data are only provided in PDF report tables, the study report concluded that: *Consumption-weighted average concentrations of DDTs and dieldrin in fish from agricultural drains, and of PCBs in fish from major tributaries (American River and Feather River) and Delta locations exceeded screening values, but these results were dependent on very limited data for trophic level 3 species. Additional data are needed to adequately assess the potential risks for these waterbodies.* LOE 321442 contains an error in the fact sheet referring to DDT “Total DDT was calculated as the sum of 4,4'- and 2,4'- isomers of DDT, DDE, and DDD.” The assessment of ten exceedances of the modified OEHHA Fish Contaminant Goal cannot be replicated because of missing percent moisture for four samples. ***Because of the incorrect calculation, older non-representative dataset, and lack of verified exceedances, the Partnership requests that the recommendation to list dieldrin be removed.***

Comment ID	Comment Category	Comment
24.19	7B	DECISION ID 121085: SACRAMENTO RIVER (IN DELTA WATERWAYS, NORTHERN AND WESTERN PORTIONS) - FIPRONIL LOE 189659 refers to samples collected “between the dates of 2013-04-05 and 2013-04-05”, however, the referenced data includes six samples, five of which were collected over a five-day period and one (2021-06-26) that had no reported result due to a sampling or analytical error. The median value of the five samples is 10 nanograms per liter (ng/L) which is lower than the applied threshold. LOE 201574 repeats the same United States Geological Survey (USGS) results from LOE 189659 using a different data source as samples were collected on the same dates at the same location with the same results. Because this is a duplicate record, it should be omitted. LOE 201603 does not specify a reporting limit (limit of quantification) or quality assurance code as both fields are specified as “#NA”. Without a basis for level of quantification or quality control assessment, the results should not be considered. ***Because of the incorrect calculation, replicated LOE, inappropriate threshold use, and the lack of verified exceedances, the Partnership requests that the recommendation to list fipronil be removed.***
24.20	7P	DECISION ID 165439: SACRAMENTO RIVER - MERCURY Decision ID 165439 recommends listing mercury in the Sacramento River (in Delta Waterways) as a Category 5 (needs TMDL) impairment based on one LOE (321563) from a total of twenty-two LOEs. The data used for LOE 321563 is from 1992-93, 1996-99, and 2001-02 fish tissue monitoring. As a general point, twenty-five to thirty-year old data to characterize a current condition or impairment is outside of a reasonable data period. Moreover, the Sacramento River within the legal Delta is already listed as

Comment ID	Comment Category	Comment
		impaired for methylmercury and is addressed by a completed TMDL and the Delta Mercury Control Program. ***The Partnership requests that the proposed impairment listing for mercury be changed to a Category 4a impairment that is already addressed by a TMDL approved by the State Water Board and USEPA.***
24.21	7I	DECISION ID 165333: SACRAMENTO RIVER - PAHS (CORBICULA TISSUE) Decision ID 165333 recommends listing polycyclic aromatic hydrocarbons (PAHs) in the Sacramento River (in Delta Waterways) as a Category 5 (needs TMDL) impairment based on one LOE (321444). The basis for LOE 321438 is the Regional Monitoring Program for Trace Substances shellfish survey results from 1993 to 2008 collection of *Corbicula* (clams) near the Sacramento River downstream from Emmaton to Sherman Lake. The stated calculation uses “potency” adjustments for each of the PAHs and ostensibly sums the potency-adjusted results of a sample to compare to the “modified OEHHA Fish Contaminant Goal for polycyclic aromatic hydrocarbons in shellfish tissue” (0.1 parts per billion, ppb). The reference provided for this advisory level does not specify a PAH level. Moreover, the potency factors referenced are for air inhalation (i.e., based on OEHHA air inhalation) which is not appropriate for calculation of shellfish consumption risk. ***Because the recommended impairment listing uses an inappropriate risk factor calculation based on air inhalation, the Partnership requests that the listing be removed.***
24.22	7I	DECISION ID 156865: SACRAMENTO RIVER – PCBS (TISSUE) The proposed Sacramento River listing for PCBs is based on older datasets and application of inappropriate OEHHA screening values developed specifically for lakes.

Comment ID	Comment Category	Comment
		LOE 321542 is based on older data collected as part of the Toxic Substances Monitoring Program (1978-2000). Smallmouth bass are referenced in the LOE basis but are not included in the dataset. LOE 321446 is based on older data collected as part of the Regional Monitoring Program and use of the "modified OEHHA Fish Contaminant Goal for polychlorinated biphenyls in shellfish tissue" of 3.9 ppb. It is not clear from LOE 321446, but it appears that a modified goal is calculated based on modified exposure consumption. LOE 321446 does not provide adequate evaluation of the methods for the modification so that the appropriateness can be confirmed. Reference No. 2456 provides a range of tissue consumption thresholds that, if applied directly, would not indicate exceedances of health concern thresholds. ***Because the recommended impairment listing uses non-representative data and does not adequately justify the threshold used, the Partnership requests that the listing be removed.***

Letter 25: Los Angeles Department of Water and Power

Comment ID	Comment Category	Comment
25.01	8A	LADWP recognizes the immense work required to assess the large amount of data for the lines of evidence (LOE) for the Draft 303(d) List and appreciates the State Water Resources Control Board (SWRCB) and Lahontan Regional Water Quality Control Board (LRWQCB) undertaking this effort. LADWP also would like to express appreciation for LRWQCB staff for working closely with LADWP during the off-cycle period. LRWQCB was essential in assisting LADWP with removing Haiwee Reservoir (previously listed for copper) from the CWA Section 303(d) List. LADWP supports this delisting as well as the delisting of Tinemaha Reservoir (for copper), the delisting of most waterbodies in the Mono and Owens

Comment ID	Comment Category	Comment
		Basins (for indicator bacteria), and the delisting of Crowley Lake (for nitrogen and phosphorus).
25.02	8B	**More current data should be evaluated.** Current data should be evaluated to ensure the most accurate assessment of the current conditions of each waterbody. California's drastic climate changes regularly affect the hydrologic conditions for the waterbodies in the Mono and Owens Valley Basins. Due to changing hydrologic conditions, it is difficult to assess water quality data that is over a decade old—and in some instances more than two decades old— that likely does not reflect the current water quality of the waterbody.

25.03	8B	The table below shows instances in which data that were collected 10 years prior to the data solicitation deadline was used for the assessment of the Draft 303(d) List.
		
		Factors such as flow, weather (precipitation), temperature, and biological activities within the waterbody affect dissolved oxygen (DO), turbidity, and ammonia. These factors can fluctuate over the course of a couple of minutes to hours, causing DO, turbidity, and ammonia to fluctuate as well. Therefore, the data for these pollutants will only provide a snapshot of the pollutants at the time the samples were collected and not reflect current water quality.
		
		LADWP recommends that the data for pollutants listed in the table above not be used in the assessment for the Draft 303(d) List. The outdated data likely does not reflect the current hydrologic conditions and, therefore, the assessments for these specific pollutants and waterbodies should be postponed until recent data are evaluated.
		
		The identified LOEs and LOE details in the table are as follows:
		• LOE 739
		  ○ Waterbody segment: Crowley Lake
		  ○ Pollutant: Dissolved Oxygen
		  ○ Temporal Data Range: 2000-2001

Comment ID	Comment Category	Comment

		• LOE 740
		  ○ Waterbody segment: Crowley Lake
		  ○ Pollutant: Ammonia
		  ○ Temporal Data Range: 2000-2001
		• LOEs 6082, 44402, 33109, 32332, and 5819
		  ○ Waterbody segment: Hilton Creek
		  ○ Pollutant: Dissolved Oxygen
		  ○ Temporal Data Range: 2001-2008
		• LOE 99086
		  ○ Waterbody segment: LA Aqueduct Diversion
		  ○ Pollutant: Turbidity
		  ○ Temporal Data Range: 2010-2012
		• LOEs 133368,7450, 7449, 6960, 133369, and 7448
		  ○ Waterbody segment: Mammoth Creek (Old Mammoth Road to Highway 395)
		  ○ Pollutant: Mercury
		  ○ Temporal Data Range: 1992 - 2005
		• LOE 4633
		  ○ Waterbody segment: Pleasant Valley Reservoir
		  ○ Pollutant: Organic Enrichment/Low Dissolved Oxygen
		  ○ Temporal Data Range: Pre- 2006
		• LOEs 45559, 47529, 133217, 133236
		  ○ Waterbody segment: Pleasant Valley Reservoir
		  ○ Pollutant: Mercury
		  ○ Temporal Data Range: 2008

25.04	1A	**Several proposed listings do not meet requirements in the Listing Policy.** The benthic community effects listing for Bishop Creek (Intake 2) does not meet the Listing Policy requirement in Section 3.9. There is only one exceedance of the water quality standard out of two samples, which does not meet the minimum requirement of two exceedances, as indicated in Table 3.1 of the Listing Policy, to designate the water segment as impaired for benthic community effects. LADWP recommends removing the proposed listing for Bishop Creek (Intake 2) for benthic community effects from the

Comment ID	Comment Category	Comment
		Draft 303(d) List because it does not meet the Listing Policy's minimum number of exceedances of the water quality standard.
25.05	1A	The benthic community effects listing for Hilton Creek does not meet the Listing Policy requirement in Section 3.9. Since there is only one exceedance, the Listing Policy threshold is not met. Therefore, LADWP recommends removing the proposed listing for Hilton Creek for benthic community effects from the Draft 303(d) List because it does not meet the Listing Policy's minimum number of exceedances of the water quality standard.
25.06	8C	The DO and ammonia listings for Crowley Lake do not meet the Listing Policy requirements in Section 6.1.4. Information provided in LOE ID 739 for DO and LOE ID 740 for ammonia indicate the Quality Assurance (QA) information is missing. Because the data did not include the required QA data to verify data quality was sufficient (according to Section 6.1.4 of the Listing Policy), the data should not be used in the 303(d) evaluation for Crowley Lake. Therefore, LADWP recommends removing the proposed listings for DO and ammonia from the Draft 303(d) List because the data listings do not meet the Listing Policy's QA requirements.
25.07	8D	The listings for LA Aqueduct Diversion, Mammoth Creek (Old Mammoth Road to Highway 395), and Owens River (Upper) do not meet the Listing Policy requirement in Section 6.1.5.2. Data evaluated for the LOEs outlined in the table below were collected from one sampling location at each

Comment ID	Comment Category	Comment

		respective waterbody. These single data points are not representative of each entire waterbody.
		
		The Owens River (Upper) waterbody segment is over 50 miles long. Collecting one sample in a waterbody segment that is over 50 miles in length is not representative of the waterbody segment. Mammoth Creek (Old Mammoth Road) is approximately four miles in length and the LA Aqueduct Diversion is approximately one mile in length. Even though these waterbody segments are shorter, DO can vary within a waterbody segment by just a few feet.
		
		Therefore, LADWP recommends that additional data be collected and analyzed throughout the water body segments for LA Aqueduct Diversion, Mammoth Creek (Old Mammoth Road to Highway 395), and Owens River (Upper) prior to listing the waterbodies as impaired for a pollutant.
		
		The identified LOEs and LOE details in the table are as follows:
		• LOE 130139
		  ○ Waterbody segment: LA Aqueduct Diversion
		  ○ Pollutant: Dissolved Oxygen
		  ○ Sampling Location: OVIWC-LP-SS-3
		• LOEs 7250, 339110, 339493, 129983, 130105, and 32268
		  ○ Waterbody segment: Mammoth Creek (Old Mammoth Road)
		  ○ Pollutant: Dissolved Oxygen
		  ○ Sampling Location: 603MAM006
		• LOEs 96727, 343008, and 343014
		  ○ Waterbody segment: Owens River (Upper)
		  ○ Pollutant: Fluoride
		  ○ Sampling Location: 603LOW011

25.08	8E	The data for Hilton Creek, Horton Creek, LA Aqueduct Diversion, Mammoth Creek (Old Mammoth Road), McGee Creek, Pine Creek, and Owens River (Upper) should be assessed for localized impacts.

Comment ID	Comment Category	Comment
25.09	8E	The data assessed for Pine Creek included several sampling locations throughout the waterbody segment. In the most downstream sample location, there were exceedances of indicator bacteria in each LOE. However, at the upstream sampling locations, there were not any exceedances of indicator bacteria on most of the sampling dates, except for single outlier exceedances that were anomalous (i.e., bacteria concentrations were lower than the water quality standard during the next sampling event). The downstream sample location (LPC 11) differs from the other stations (LPC 1-10); LPC 11 is downstream of residential development, human activity, and cattle activity. The data above indicate that localized land uses likely affect water quality data, including exceedances of the indicator bacteria water quality standard. Thus, it does not seem prudent to continue to list the entire waterbody segment as impaired for indicator bacteria if there is only a small, localized area that exceeds the indicator bacteria water quality standard. This small area could be addressed by source studies and management plans.
25.10	8E	Bacteria data from Horton Creek display a noticeable pattern of downstream exceedances of indicator bacteria. The majority of the indicator bacteria water quality standard exceedances were at sample locations HC8, HC 9, and HC 10. These stations are immediately downstream of residential development, human activity, and cattle activity. There were only five exceedances of the indicator bacteria standard (out of 240 samples) at the upstream stations. This upstream data on its own would be adequate to delist the upstream portion of Horton Creek. As recommended previously, localized land use impacts should be considered when evaluating data, and entire waterbody segments should not necessarily be classified as impaired.
25.11	8E	Hilton Creek, LA Aqueduct Diversion, Mammoth Creek (Old Mammoth Road), McGee Creek, and Owens River (Upper)

Comment ID	Comment Category	Comment
		also have sampling locations that may be affected by localized land use impacts.
25.12	8E	Therefore, LADWP recommends that Hilton Creek, Horton Creek, LA Aqueduct Diversion, Mammoth Creek (Old Mammoth Road), McGee Creek, Owens River (Upper), and Pine Creek listings be assessed to determine if the exceedances are due to localized impacts. Relatively small areas could be addressed by source studies and management plans.
25.13	8F	**The LOE for listing Mono Lake on the Draft 303(d) List references SWRCB Decision 1631, but there are no readily available data to support this listing and no water quality standards with which to compare the listing.** Decision ID 80208 states that, in the 2002 listing cycle, the water segment-pollutant combination was removed from the Section 303(d) list. It also states that no new information was reviewed for this current assessment cycle. Therefore, it is unclear why Mono Lake is proposed for inclusion on the Draft 303(d) List during this listing cycle, after it was previously removed during the 2002 listing cycle. Additionally, LOE ID 736 does not provide any data or quality assurance information to support the listing, which does not meet the requirements of Section 6.1.4 of the Listing Policy. Furthermore, SWRCB Decision 1631 is a water rights decision, independent of the Draft 303(d) List. It addresses the water flow into Mono Lake and water levels within Mono Lake. It does not provide the LOE for data to be assessed for salinity, total dissolved solids (TDS), or chloride impairment of the waterbody, which are required to list the waterbody on the Draft 303(d) List. Thus, it is unclear as to the reason for using a water rights decision to show impairment of a pollutant.

Comment ID	Comment Category	Comment
		Based on the information provided above, LADWP recommends removing the proposed 303(d) listings for salinity, TDS, and chlorides for Mono Lake due to insufficient data to support the listing as required by the Listing Policy.

Letter 26: Wood Family Livestock

Comment ID	Comment Category	Comment
26.01	8G	The Draft Staff Report for the 2026 California Integrated Report (Draft Staff Report) properly recognizes that the fecal coliform objective is no longer valid and states "… the fecal coliform lines of evidence utilized in past indicator bacteria Decisions were not included in the California Integrated Report. 2026 California Integrated Report indicator bacteria Decisions were made using the statewide E. coli water quality objective."[2] However, based on our review of the draft 303(d) List, some of the proposed listing decisions were not updated and continue to use and reference the fecal coliform objective. Specifically, the Fact Sheets for the Bridgeport Valley waterbodies in the "Do Not Delist from the 303(d) list (being addressed with action other than TMDL)" category still include reference to the now defunct fecal coliform objective and evaluate impairment using fecal coliform data as well as E. coli data. The waterbodies and Decision IDs that need to be reconsidered are the following: • Decision ID 69082 Buckeye Creek • Decision ID 69501 East Walker River, above Bridgeport Reservoir • Decision ID 76595 Robinson Creek (Hwy 395 to Bridgeport Res) • Decision ID 76458 Robinson Creek (Twin Lakes to Hwy 395) • Decision ID 170463 Swauger Creek

Comment ID	Comment Category	Comment
		[Footnote 2: Draft Staff Report for the 2026 California Integrated Report, California State Water Resources Control Board, Page 115.]
26.02	8G	Further, the Decision IDs for these five waterbodies listed above must be further revised to reflect that the 2017 General Conditional Waiver for Grazing Operations in the East Walker River Watershed was replaced in 2023 with Renewal of General Conditional Waiver of Waste Discharge Requirements Order No. R6T-2023-0006. The Fact Sheets currently point to the outdated waiver from 2017.
26.03	8A	Virginia Creek, Decision ID 170505 – We support the draft 303(d) List and its proposed delisting of Virginia Creek for Indicator Bacteria, which removed the fecal coliform lines of evidence.
26.04	8H	Robinson Creek (Barney Lake to Twin Lakes), Decision ID 71635 – The Fact Sheet incorrectly states that 4 of 4 samples exceed the nitrogen water quality objective. Per the lines of evidence provided, only 2 of 4 samples exceed the nitrogen objective from table 3-15, which states the objective for total nitrogen is 0.05 mg/L. Here, we question the validity of the water quality objective applied to Robinson Creek. …we recommend that Lahontan Water Board staff confirm that this is the correct objective and that there was not an editorial issue in the past that inadvertently changed the objective from 0.50 mg/L to 0.05 mg/L. The sample results in question were 0.086 in 2012 and 0.092 in 2014, which are below the 90th percentile value of 0.10 mg/L. In light of these concerns, we recommend that this draft decision be revised to Do Not List, which is consistent with the previous decision for this waterbody.
26.05	8I	Multiple Decision IDs in the List Category – It appears from our review of multiple Fact Sheets that there may be an error in that some Fact Sheets state, “[t]his region not assessed this cycle.” Such a statement is false as this is

Comment ID	Comment Category	Comment
		the cycle of assessment for the entirety of the Lahontan Region.
26.06	8J	Further, many listing decisions are being made based on pre-2006 data and determinations and no further evaluation was made. Considering that such decisions are over twenty years old, we recommend that the waterbodies be delisted, or an actual assessment be performed.
26.07	8G	In conclusion, we request that the State Water Board reevaluate the Bridgeport Valley waterbodies after removing the fecal coliform lines of evidence, update the Fact Sheets accordingly, and further review additional decisions based on the comments provided above.

Letter 27: Riverside County Flood Control and Water Conservation District

Comment ID	Comment Category	Comment
27.01	10I	In summary, the Permittees are concerned that some listings in the 2026 Integrated Report do not appear to be supported by the available lines of evidence and that the Report and supporting documents do not adequately set forth support for the listing decisions.
27.02	1H	The Permittees also have general concerns regarding the decision to add 44 waterbodies statewide for benthic community effects onto the list of impaired waterbodies, and specific concerns regarding the adding of Santa Ana River Reach 3, the Perris Valley Storm Drain Channel and San Jacinto River Reach 1 to that list.
27.03	10J	In addition to the comments in this letter, the Permittees support comments in the letter submitted by the Lake Elsinore and Canyon Lake TMDL Task Force on April 2,

Comment ID	Comment Category	Comment
		2025. The Permittees also support the comments and recommendations on the 2026 Integrated Report submitted by the California Stormwater Quality Association (CASQA) in a letter dated April 2, 2025.
27.04	3A	Since the 303(d) listing brings with it financial impacts to MS4 operators that discharge into a listed waterbody, including, but not limited to, the potential development and implementation of Total Maximum Daily Loads (TMDLs), it is critical that the list be based on sound science and methodologies. The District is therefore providing these comments to address what it believes are errors and deficiencies in the support for certain listing decisions in the draft report.
27.05	9B	Comment I. Remove the Whitewater River Listing for Temperature (Decision ID 160095) (Region 7). The 2026 Integrated Report lists the Whitewater River for temperature in Category 3. The Draft Staff Report notes the following: *Some water quality objectives contained in water quality control plans also include narrative provisions that state that exceedances shall not be a result of controllable water quality factors or waste discharges (here on out referred to as controllable water quality objectives or controllable factors) (Integrated Report, p. 121). The water quality objective for temperature in the Water Quality Control Plan for the Colorado River Basin Region states: The natural receiving water temperature of surface waters shall not be altered by discharges of wastewater unless it can be demonstrated to the satisfaction of the Regional Water Board that such alteration in temperature does not adversely affect beneficial uses. (underlining supplied) It is uncertain whether the measured exceedances of the evaluation guideline used to evaluate the narrative temperature objective were due to discharges of wastewater. Therefore, the ... waterbody-pollutant combinations were placed in category 3 indicating there is insufficient data and/or information to make a beneficial use*

Comment ID	Comment Category	Comment
		support determination, but data and/or information indicates beneficial uses may be potentially threatened (Integrated Report, p. 121). The underlined language in the Basin Plan language quoted above reflects that the receiving water temperature objective is prohibited from being altered by "discharges of wastewater". The District submits that there are no sources of wastewater within the relevant watershed that could account for any exceedances of the temperature water quality objective. As shown in Attachment 1, a satellite image of the relevant watershed for the river, the watershed is composed almost entirely of mountainous terrain or rural land. The principal sources of water into the river are either snowmelt from San Gorgonio Mountain or flows of imported water from the Colorado River, delivered through the Colorado River Aqueduct for groundwater replenishment. Attachment 1 shows the location of the two monitoring stations used to make this assessment. The upstream monitoring station, USGS-10256000, is located in an unincorporated area called Bonnie Bell. The only upstream "development" in this area are the Whitewater Preserve's visitor center and campgrounds, located approximately 3 miles upstream of the monitoring location. There are no controllable sources of wastewater (no MS4s, industrial sources or wastewater treatment plants) upstream of that monitoring station. The downstream 719WWRI 10 monitoring station is located approximately 1.7 miles downstream of Bonnie Bell, and approximately 0.85 mile downstream of the area where the Whitewater River receives imported water from the Colorado River Aqueduct. These locations are depicted on Attachment 1. Again, there is no source of wastewater discharge into the river which could affect the temperature of the receiving waters. This conclusion is further supported by the fact that the temperatures of the receiving waters in the Whitewater River are largely influenced by the extreme temperatures found in that area. As noted on Page 1-9 of the Water Quality Control Plan for the Colorado River Basin Region (Basin Plan), "The Region has the driest climate in California. The Winters are mild, and summers are hot.

Comment ID	Comment Category	Comment
		Temperatures range from below freezing to over 120°F." The Coachella Valley experiences an average annual rainfall of approximately 4 inches, and temperatures are in excess of 100°F (38°C) for more than 100 days per year. These high ambient air temperatures typically occur between the months of March and November and undoubtedly influence ambient water temperatures. Thus, while the listing decision to place this reach in Category 3 is based on an acknowledged lack of information on potential wastewater discharges, given the lack of wastewater discharge inputs and the extremes of climate in the watershed, the District submits that these facts demonstrate that the exceedances are not due to ag controllable factor and that this waterbody-pollutant combination should therefore be removed from Category 3 and the Integrated Report. Requested Action: • Remove Whitewater River / temperature (Decision ID 160095) from the Integrated Report.
27.06	9A	Comment 2. Modify the Coachella Valley Stormwater Channel listing for Pyrethroids to "Do Not List on the 303(d) List" (Decision ID 169348) (Region 7). The 2026 Integrated Report lists the Coachella Valley Stormwater Channel (CVSC) for pyrethroids in Category 5, which changed the previous determination in 2018 to not list the waterbody for this pollutant. The Draft Staff Report cites five lines of evidence and two water-based exceedances to support this revised determination: • 352005 [Water] 1 sample; 1 exceedance[1] • 352000 [Water] 1 sample; 1 exceedance[2] • 352009 [Water] 0 samples; 0 exceedances[3] • 352016 [Water] 0 samples; 0 exceedances • 348861 [Sediment] 3 samples; 0 exceedances

Comment ID	Comment Category	Comment
		[Footnote 1: 2 samples: Bifentrin one ND/ one 0.01 ug/L; cytluthrin both ND; esfenvalerate both NDs; cyhalothin lambda both ND; permethrin both ND] [Footnote 2: All but one of the congeners for the sum are ND and one cyhalothrin has a result of 0.021 ug/L] [Footnote 3: 3 samples - congeners were all NDs or DNQs]
27.07	9A	The evaluation guidelines for this determination using the water-based samples come from the Central Valley Regional Water Quality Control Board Sacramento River and San Joaquin River Basin Plan and Resolution R5-2017-0057, which includes Acute and Chronic Pyrethroid Triggers[4,5]. Key attributes of these triggers include the following: • An acute pyrethroid trigger is based on samples from a I-hour averaging period; a chronic pyrethroid trigger is based on samples taken over a 4-day averaging period. • The acute and chronic additive pyrethroid pesticides numeric triggers are equal to one (1) acute/chronic additive concentration goal unit not to be exceeded more than once in a threeyear period. • For calculation of concentration goal units, available samples collected within the applicable averaging period for the numeric trigger are to be used to determine exceedances of the trigger. • Freely dissolved pyrethroid concentrations may be used in the numerator of each ratio if appropriate data are available, as described in the equation to calculate freely dissolved concentrations. [Footnote 4: Central Valley Water Board Resolution RS-2017-0057, page 5.] [Footnote 5: Draft Staff Report, page 60. "Water matrix pyrethroid data for bifenthrin, cyfluthrin, cypermethrin, lambda cyhalothrin, esfenvalerate, and permethrin were compared to numeric pyrethroid chronic concentration goals from the Central Valley Water Quality Control Plan,

Comment ID	Comment Category	Comment
		as amended by Resolution RS-2017-0057, to assess the Warm Freshwater Habitat ("WARM") and Cold Freshwater Habitat ("COLD") beneficial uses."]
27.08	9A	For the reasons listed below, the District submits that this listing does not conform to the evaluation guidelines cited for the listing and are, therefore, requesting that the Coachella Valley Stormwater Channel listing for Pyrethroids be modified to "Do Not List on the 303(d) List". 1. Failure to Use Acute Trigger - The evidence in the Integrated Report Fact Sheets (Appendix B) reflects that the two water samples cited as evidence for the listing were single samples. As such, the acute pyrethroid trigger should have been used instead of the chronic pyrethroid trigger since both samples used for the analysis were only collected o]n one day. The chronic pyrethroid trigger requires four consecutive days of sampling to calculate a 4-day average concentration. Thus, the samples should have been assessed using the acute I -hour averaging period. 2. Allowable Exceedance Period - The two exceedances cited for the listing occurred six years apart; the trigger, however, allows for one exceedance in each three-year period. Thus, each sampling period was not, in of itself, an exceedance. The District has evaluated both Appendix B and the linked datasets; however, we have been unable to determine what assumptions were made, what data were used and what transformations were made (if any), and how the resulting conclusion was derived[6]. Thus, if the State Water Board disagrees with the District's conclusion regarding the lack of evidence to support listing of this waterbody for pyrethroids, the District requests that staff provide the full set of calculations and specific data and/or any transformations used to make the determination to list the CVSC for Pyrethroids. Requested Action:

Comment ID	Comment Category	Comment
		• Revise the CVSC listing for Pyrethroids (Decision ID 169348) to "Do Not List on the 303(d) List". • If the Board does not agree with the above revision, please provide the full set of calculations and specific data and/or any transformations used to make the determination to list the CVSC for Pyrethroids (Decision ID 169348). [Footnote 6: Also see the California Stormwater Quality Association comment letter regarding the need for the State Water Board to provide documentation of how data analyses are performed as opposed to just providing raw data spreadsheets.]
27.09	10B	Comment 3. Explain the Basis for the Upper Santa Margarita River listing for Orthophosphate (Decision ID 154987) (Region 9). The 2026 Integrated Report lists the Upper Santa Margarita River for orthophosphate in Category SR, which was a new decision for this Listing cycle. The District has concerns and questions concerning the lines of evidence utilized by staff in coming to the conclusion that the waterbody should be listed. The District therefore requests responses to the issues identified below to ensure that the listing is correct within the documentation and, if required, updating and correction of the listing decision. • The data used for this new listing was collected from January - September 2003. It is unclear why data from over 20 years ago was used, for the first time, to list this waterbody/pollutant combination when in previous cycles this was not deemed necessary. • The data solicitation period for the 2026 Integrated Report was April 18, 2022 - October 21, 2022. During the data solicitation period, the Total Phosphorous data added by the Permittees to CEDEN in January 2022[7] was not included as a part of the 2026 Integrated Report analysis. • The criterion/objective cited for this evaluation is based on the San Diego Regional Water Quality Control Board water quality objective (WQO) for

Comment ID	Comment Category	Comment
		biostimulatory substances, which states that "A desired goal in order to prevent plant nuisance in streams and other flowing waters appears to be 0.1 mg/l total P. These values are not to be exceeded more than 10% of the time unless studies of the specific waterbody in question clearly show that water quality objective changes are permissible and changes are approved by the Regional Board." The Draft 2026 Integrated Report does not identify how the assessment of Orthophosphate was conducted using the Total Phosphorous WQO and/or any assumptions that were made as a part of this assessment, including whether or not the 10% allowable exceedance was considered in the analysis and how orthophosphate data was assessed against a Total Phosphorus objective. Without such explanation, the District submits that there is not sufficient evidence to support the listing of Orthophosphate for this waterbody. Requested Action: • Please provide the following information for the Upper Santa Margarita River listing for Orthophosphate (Decision ID 154987). o Explain why this waterbody/pollutant combination was added to the 303(d) list for the first time based on sampling taking place in 2003, when it was not added during previous cycles. o Explain why the Total Phosphorous data submitted by the Permittees for the Upper Santa Margarita River was not included within the analyses. o Explain what assumptions were made and/or how the assessment of Orthophosphate was conducted using the Total P WQO. • Please provide the full set of calculations and specific data and/or any transformations used to make the determination to list the Upper Santa Margarita River for Orthophosphate (Decision ID 154987).

Comment ID	Comment Category	Comment
		[Footnote 7: Submittal confirmation received by the Permittees on January 3, 2022.]
27.10(a)	1H	Comment 4. Remove Santa Ana River Reach 3, San Jacinto Reach 1, and the Perris Valley Storm Drain Channel from the 3 03 (d) list for benthic community effects and place them under Category 3 in the 2026 Integrated Report. (Region 8). On January 15, 2025, the District submitted a comment letter to the U.S. Environmental Protection Agency (EPA) regarding its Partial Approval/Partial Disapproval of California's 2024 List of Impaired Waters. The District's concerns and recommendations in that letter remain relevant and should be considered as part of this commenting period. The District hereby incorporates by reference the aforementioned comment letter to EPA into the administrative record, which can be found in Attachment 2.
27.10(b)	1B	In summary, the District disagrees with EPA's findings and determination to add 44 waterbodies for benthic community effects onto California's 303(d) list of impaired waterbodies. The District believes that use of the California Stream Condition Index (CSCI) score of 0.79 as a criteria for determining impairment of WARM or COLD aquatic life beneficial uses is not appropriate, since the CSCI score has not been adopted as a state water quality standard nor has it been adopted as a water quality objective in the Santa Ana Region Basin Plan.
27.10(c)	1B	Furthermore, the State Water Board's 303(d) Listing Policy requires that there must be an association of an impairment with a specific "pollutant." (Listing Policy, § 3.9.) EPA's partial disapproval disregards the Listing Policy's requirement for impairment determinations to be based on an associated pollutant. Until there is a formal, public process under the California Water Code to evaluate the applicability and appropriateness of using the 0.79 CSCI score as a statewide criteria EPA lacks a basis to employ

Comment ID	Comment Category	Comment
		the score to determine impairment of waterbodies for benthic community effects for the 2026 Integrated Report as well as future Integrated Reports. The District requests that the State Water Board removes Santa Ana River Reach 3, the Perris Valley Storm Drain Channel, and San Jacinto River Reach 1 from the 303(d) list for benthic community effects and place them in Category 3 until a pollutant can be associated with degradation to the benthic community.
27.10(d)	1H	Requested Action: • Remove Santa Ana River Reach 3, San Jacinto River Reach 1, and the Perris Valley Storm Drain Channel for benthic community effects from Category 5 and place those waterbodies into Category 3. The District and the Permittees appreciate the opportunity to provide comments on the 2026 Integrated Report.
27.11	1H	While the District has general concerns regarding EPA's findings and determination to add 44 waterbodies for benthic community effects onto California's list of impaired waterbodies, this letter focuses on two of those waterbodies, Santa Ana River Reach 3 and Perris Valley Storm Drain Channel.
27.12	1B	The District respectfully disagrees with EPA's decision to partially disapprove the 2024 impaired water list. Under the Federal Clean Water Act (CWA), states have the primary role in water quality planning and water quality standard-setting matters, including 303(d) listing determinations. The EPA acts only where necessary to ensure that the federal requirements are met by a state. As acknowledged in its letter to the State Water Resources Control Board (State Water Board), the state has met Federal CWA requirements for the 2024 Integrated Report. The EPA should therefore defer to state determinations absent concrete evidence that federal requirements are not being met.

Comment ID	Comment Category	Comment
27.13	1B	As will be discussed further below, the State Water Board has determined that there is insufficient, concrete evidence and that the tools to fully and accurately evaluate benthic alterations are not currently available to support a Category 5 listing (TMDL required) as part of the 2024 Integrated Report. The State Water Board's decision to place the 44 waterbodies in Category 3 (more information required) is warranted given the status of the California Stream Condition Index (CSCI) tool, as well as the requirements of the Listing Policy that a pollutant be identified and associated with impairment. With respect, the EPA's decision to override the deference to which the state is entitled under the CWA is not required by the Federal CWA. The EPA's decision is only supported by a non-binding memorandum and should be reconsidered based on the comments provided below.
27.14(a)	1A	First, the District believes that use of the CSCI score of 0.79 as a criteria for determining impairment of WARM or COLD aquatic life beneficial uses is not appropriate, since the CSCI score has not been adopted as a state water quality standard. In California, state water quality standards must be adopted in accordance with the California Water Code, which requires in part, that regional water boards establish water quality objectives in water quality control plans that will ensure reasonable protection of beneficial uses. Water quality objectives are the criteria that should be used to evaluate beneficial use impairment. (Wat. Code § 13050(h)) When adopting water quality objectives, regional boards must consider specific factors as set forth in statute. (Wat. Code § 13241) The State Water Board is subject to the same requirements when it adopts water quality objectives for Waters of the United States. (Wat. Code § 13170) Although the State Water Board has worked for some years to develop biological objectives in a statewide water quality control policy, the State Water Board has not formally evaluated the 0.79 CSCI score under California Water Code § 13241 to determine if it is an appropriate numeric

Comment ID	Comment Category	Comment
		water quality objective to reasonably protect WARM and COLD beneficial uses statewide. Similarly, the Santa Ana Water Board has not established the 0.79 CSCI score as a water quality objective in the Santa Ana Region Basin Plan.
27.14(b)	1B	While the State Water Board employed the 0.79 CSCI score as an evaluation guideline in assessing impairment in the 2024 Integrated Report, the State Water Board's 303(d) Listing Policy also requires that there must be an association of the impairment with a specific "pollutant." (Listing Policy, § 3.9) Accordingly, with respect to the 44 waterbodies in question, the State Water Board appropriately followed its policy and placed these waterbodies in Category 3 rather than in Category 5 because there was a lack of data or information to associate a pollutant with the biological impairment based on the CSCI score.
27.14(c)	1A	Now, because of EPA's partial disapproval, the Listing Policy's requirement for impairment determinations to be based on an associated pollutant are being disregarded and the 0.79 CSCI score has become a "de facto" statewide water quality criteria for evaluating impairment of WARM and COLD beneficial uses. This has been done without resort to rulemaking or public process to determine if the score is an appropriate water quality criteria for application statewide to all types of waterbodies[1]. The disapproval effectively circumvents California's statutory requirements and process for adopting water quality objectives that it considers protective of the WARM and COLD beneficial uses by using an informal, non-regulatory 0.79 CSCI score as part of its Clean Water Act 303(d) listing process. Footnote 1: Notably, the statewide applicability of a CSCI score of 0.79 has recently been called into question by the Southern California Coastal Water Research Project in its study of Central Valley waterways in *A Technical Foundation for Biointegrity and Eutrophication Indicators and Thresholds*

Comment ID	Comment Category	Comment
		for Modified Channels, Intermittent Streams, and Streams on the Central Valley Floor. In this study, SCCWRP indicated that a use of the CSCI scores in various northern California waterways, including intermittent streams and streams on the valley floor should not be assessed using the CSCI threshold of 0.79.
27.14(d)	1A	Until there is a formal, public process following the California Water Code to evaluate the applicability and appropriateness of using the 0.79 CSCI score as a statewide criteria the EPA lacks a basis to employ the score to determine impairment of the 44 waterbodies on the 2024 Integrated Report as well as future Integrated Reports. The District requests that the EPA accept the State Water Board's determination, based on its correct application of the Listing Policy, that these waterbodies, including Santa Ana River Reach 3 and the Perris Valley Storm Drain Channel, be listed in Category 3 pending an association of a pollutant with impairment as the cause of a lower CSCI score.
27.15	1H	Second, to the extent that the EPA believes that the CSCI score of 0.79 appropriately interprets and applies narrative water quality standards, the EPA's findings for the five Santa Ana River Basin waterbodies, including the two which are the subject of this letter, are not supported by the language in the Santa Ana Region Basin Plan. That objective states: "Inland surface water communities and population including vertebrate, invertebrate, and plant species, shall not be degraded *as a result of the discharge of waste*." (Santa Ana Region Basin Plan, Pages 4-6, emphasis supplied). In other words, if degradation is the result of "pollution," such as flow or habitat modification, then the narrative objective has not been exceeded. The objective is exceeded only if it is the result of a "pollutant." Use of a CSCI score alone, regardless of the number, fails to account for or consider that degradation may be caused by non-pollutant factors. Previously published studies have shown that engineered channels are expected to have lower index scores due to their limited habitat complexity

Comment ID	Comment Category	Comment
		and potentially higher likelihood of additional stressors present in these highly modified channels.[2] The EPA's partial disapproval shifts the burden of finding degradation based on "discharge of a waste" to proving that degradation is not caused by a discharge of waste. With respect to the Santa Ana Region waterbodies, this interpretation is inconsistent with the language of the narrative water quality objective. The water quality objective itself requires that there be a *pollutant* associated with degradation to find impairment. Nothing in EPA's partial disapproval addresses the plain reading of this narrative water quality objective. Accordingly, the EPA's partial disapproval as applied to the five Santa Ana Region waterbodies is inconsistent with the language of the Basin Plan and should be withdrawn. Footnote 2: Taniguchi-Quan, K., R.D. Mazor, J. Brown, R. Guill, M. Yeager, A. Suter, J. Rudolph, B. Isham, and S. Johnson. 2020. *2018-2019 Report on the SMC Stream Survey. Technical Report #1127*. Southern California Coastal Water Research Project. Costa Mesa, CA.
27.16	1E	Third, with respect to Santa Ana River Reach 3 and the Perris Valley Storm Drain Channel, application of a CSCI score of 0.79 is questionable on a technical basis. Santa Ana River Reach 3 is a modified channel and the Perris Valley Storm Drain Channel is both modified and has seasonal/ephemeral flows. The lack of consistent flow in a waterbody has been shown to impact the biointegrity score.[3] Without a clear understanding of the flow conditions in the specific waterbody and the potential impact of the flow characteristics, as well as the potential impacts of the channel modifications on the biointegrity score in these waterbodies, listing of such a waterbody in Category 5 based on a 0.79 CSCI score is inappropriate.

Comment ID	Comment Category	Comment
		The simple presence of biointegrity data in a waterbody is not indicative of the applicability of a CSCI threshold to that waterbody. Data has been collected to evaluate the applicability of the CSCI as a monitoring tool in a variety of waterbody types. In 2015, the SMC Regional Bioassessment Workplan[4] expanded to survey both perennial and non-perennial streams. This was further expanded as an experimental design in the current 2021-2024 Workplan[5] to include gaining a better understanding of perennial, intermittent, and ephemeral streams in the region. The 0.79 CSCI threshold was determined based only on data collected from perennial streams that met reference criteria and should not be used for placing a waterbody in Category 5 without further assessment of waterbody specific conditions and a determination that a pollutant is causing the lowered biointegrity score. Unfortunately, the EPA's approach in its partial disapproval fails to consider waterbody-specific characteristics that could influence the applicability of the 0.79 CSCI threshold. Nowhere in the State Water Board's or EPA's evaluation of the data for these waterbodies is there a site-specific analysis to determine that the 0.79 score is an appropriate score to determine impairment of the applicable WARM or COLD beneficial use. The only region in California that has proposed the use of 0.79 as a water quality objective, the San Diego Region, has specifically exempted ephemeral waterbodies and waterbodies with hardened channel bottoms from the objectives, demonstrating that the CSCI threshold of 0.79 is not necessarily applicable to all waterbodies. Additionally, this regional objective has not yet been approved by the State Water Board or the EPA and is therefore not yet an effective objective, as discussed above. Footnote 3: Feminella, J. W. 1996. *Comparison of benthic macroinvertebrate assemblages in small streams along a gradient of flow permanence*. J. N. Am. Benthol. Soc., 15:651–669. Wood, P.J. and E.G. Petts. 1999. *The*

Comment ID	Comment Category	Comment
		influence of drought on chalk stream macroinvertebrates. Hydrol. Process., 13:387–399. Footnote 4: *Bioassessment survey of the Stormwater Monitoring Coalition Workplan for Years 2015 through 2019 Version 1.0. Technical Report #849*. Southern California Coastal Water Research Project. Costa Mesa, CA. February 2015. Footnote 5: *Bioassessment survey of the Stormwater Monitoring Coalition Workplan for Years 2021 through 2024 Version 4.0. Technical Report #1174*. Southern California Coastal Water Research Project. Costa Mesa, CA. March 2024.
27.17	1B	Fourth, the District notes that the key document cited by the EPA in support of its partial disapproval decision, the March 2023 USEPA memorandum "Information Concerning 2024 Clean Water Act Sections 303(d), 305(b), and 314 Integrated Reporting and Listing Decisions." However, this memorandum contains the following important limitation: *While this document cites statutes and regulations that contain requirements applicable to topics such as WQS, water quality assessment, and the establishment of TMDLs**, it does not impose legally binding requirements** on EPA, states, territories, authorized tribes, other regulatory authorities, or the regulated community, and **may not apply to a particular situation based upon the circumstances**. EPA, state, territorial, authorized tribal, and other decision **makers retain the discretion to adopt approaches on a case-by-case basis that differ from those provided in this Integrated Reporting memorandum** (IR memo) as appropriate and consistent with statutory and regulatory requirements.* (Emphasis supplied)

Comment ID	Comment Category	Comment
		In fact, within the 2024 Integrated Report, the State Water Board used its discretion to adopt a different approach, e.g., to determine that there was a need to consider the waterbodies in question in a consistent manner and to develop a methodology to provide a more robust and transparent way to associate the degradation with the stressors. The State Water Board Response to Comment notes: *There is a need to clarify and develop a methodology for associating degraded biological populations with pollutant concentrations under Listing Policy section 3.9, including the consideration of site-specific data and information, when determining biological community effects impairments. Time to develop the methodology will help ensure Listing Policy section 3.9 is applied in an appropriately consistent manner.*
27.18	1B	It is for these, and the other reasons discussed in this letter that the EPA should withdraw its partial disapproval and instead support the State Water Board's determination that the 44 waterbodies in question, including Santa Ana River Reach 3 and the Perris Valley Storm Drain Channel, be placed in Category 3. As noted above, degraded biological populations are often the result of "pollution" conditions as well as pollutants. Determining which of these factors are occurring, to what degree, and what factors are clearly associated with the degraded populations is a complex process, which often leads to the identification of numerous, potential stressors instead of a singular or limited, known cause. The District endorses the comments of the California Storm Water Quality Association (CASQA) contained in its January 15, 2025 letter to you from Karen Cowan, CASQA's Executive Director. That CASQA letter contains additional information relevant to these issues. For the reasons provided above, the District respectfully requests that the EPA reconsider its decision to place Santa Ana River Reach 3 and the Perris Valley Storm Drain Channel (as well as the other Santa Ana Region

Comment ID	Comment Category	Comment
		waterbodies) on the State's Category 5 TMDL required list for impairments to benthic communities.

Letter 28: Basin Monitoring Program Task Force

Comment ID	Comment Category	Comment
28.01	1B	Specifically, the BMPTF conveys here its general concerns in response to the State Water Board's proposed action to add 44 waterbodies for benthic community effects onto California's list of impaired waterbodies, and its specific concerns for inclusion of Santa Ana River Reaches 2 and 3, based on U.S. EPA's Draft Partial Approval and Disapproval of California's 2024 List of Impaired Waters.
28.02	1A	First, the BMPTF must express its general concern with the State Water Board's use of the California Stream Condition Index (CSCI) and a score of 0.79 as criteria for determining if WARM or COLD aquatic life beneficial uses are impaired. Until there is a formal, public process following the California Water Code to evaluate the applicability and appropriateness of using the 0.79 CSCI score as a statewide criteria the EPA lacks a basis to employ the score to determine impairment of the 44 waterbodies on the 2024 Integrated Report as well as future Integrated Reports. The District requests that the EPA accept the State Water Board's determination, based on its correct application of the Listing Policy, that these waterbodies, including Santa Ana River Reach 3 and the Perris Valley Storm Drain Channel, be listed in Category 3 pending an association of a pollutant with impairment as the cause of a lower CSCI score.
28.03	1A	Here, unfortunately, the State Water Board has circumvented the state's statutory requirements and process for adopting water quality objectives when it uses the CSCI score of 0.79 as part of its Clean Water Act 303(d) listing process to find impairment to biological

Comment ID	Comment Category	Comment
		communities. The State Water Board has been engaged in a process to develop biological objectives in a statewide water quality control policy for many years. At no time over the last 10 years of this process has the State Water Board, through a formal public process, evaluated the CSCI score of 0.79 under Water Code section 13241 to determine if it is an appropriate water quality objective to reasonably protect WARM and COLD beneficial uses statewide. Thus, as an initial matter, the BMPTF has concerns with its use by the State Water Board in the listing process.
28.04	1B	During the 2024 Integrated Report process, the State Water Board applied the 303(d) listing policy and process correctly and limited determinations of impairment to biological communities only if there was also an association with a pollutant causing impairment. (Listing Policy, § 3.9.) Accordingly, with respect to the 44 waterbodies in question, the State Water Board followed its policy and did not place these waterbodies in "Category 5 TMDL required" because there was a lack of data or information to associate a pollutant with the biological impairment based on the CSCI score. …the State Water Board now proposes to move all 44 waterbodies from Category 3 to Category 5 as part of the 2026 Integrated Report Process based on U.S. EPA's draft determination. (See 2026 Integrated Report, Staff Report, p. 75.) The BMPTF disagrees with this action for several reasons.
28.05	1H	First, U.S. EPA's draft findings for the five Santa Ana River Basin waterbodies are not supported by the language of the narrative water quality objective identified by U.S. EPA, which was relied on by U.S. EPA to supports its partial disapproval. Specifically, the narrative water quality objective relied on by U.S. EPA specifically states, "[i]nland surface water communities and populations, including vertebrate, invertebrate, and plant species, shall not be degraded as a result of the discharge of waste." In other words, if degradation is the result of pollution, such as flow or habitat modification, then the narrative objective has not

Comment ID	Comment Category	Comment
		been exceeded. Rather, the objective is only exceeded if it is the result of a pollutant. The use of a CSCI score alone, regardless of the number, fails to account for or consider that degradation may be caused by non-pollutant factors.
28.06	1H	Second, U.S. EPA's partial disapproval shifts the burden of finding degradation based on "discharge of a waste" to proving that degradation is not caused by a discharge of waste. With respect to the Santa Ana waterbodies, this interpretation is inconsistent with the language of the narrative water quality objective and must be disregarded. Thus, the water quality objective itself requires that there be a pollutant associated with degradation to find impairment. Nothing in U.S. EPA's partial disapproval addresses the plain reading of the narrative water quality objective applicable to the Santa Ana waterbodies. Accordingly, U.S. EPA's determination as applied to the five Santa Ana waterbodies is improper and must be rejected by the State Water Board.
28.07	1E	Third, with respect to Santa Ana River Reaches 2 and 3 specifically, the application of a CSCI score of 0.79 is questionable considering modifications to these channels that have occurred over time. Further, southern California ecoregions have distinctly different biological characteristics as compared to the statewide dataset that was used to calculate a threshold of 0.79. EPA's broad-based approach for applying a CSCI score of 0.79 fails to allow for or consider significant differences between southern California waterbodies and those relied on in the statewide dataset.
28.08	1I	Also, with respect to Reach 2 of the Santa Ana River, the data contained in the State Water Board's evaluation fails to support a finding of impairment. Five of the eight sample results were collected from the Collins Channel (which is a concrete box channel) – not the Santa Ana River Reach 2 – and must be disregarded. Of the three remaining samples collected on the Santa Ana River, one result is better than the score of 0.79, and two are just below a score of 0.79 at 0.709 and 0.731. Moreover, the three remaining samples

Comment ID	Comment Category	Comment
		are all located in the upper portion of Santa Ana River Reach 2, meaning that they are not representative of the entirety of Reach 2. Finally, no pollutant is identified that may potentially be associated with the degradation of biological communities. Considering the lack of convincing bioassessment data and lack of a pollutant, the State Water Board has no basis for placing Reach 2 of the Santa Ana River on the Category 5 TMDL required list is premature.
28.09	1H	For the reasons provided above, the BMPTF requests that the State Water Board re-evaluate its inclusion of the five Santa Ana waterbodies on the state's Category 5 TMDL required list for benthic community effects. Until a pollutant can be associated with degradation to the benthic community, inclusion of Santa Ana waterbodies is improper because it misapplies the region's narrative objective. Accordingly, the BMPTF requests that State Water Board remove all five of the Santa Ana waterbodies from Category 5 and re-categorize these five waterbodies into Category 3.

Letter 29: California Stormwater Quality Association

Comment ID	Comment Category	Comment
29.01	7K	We recognize and sincerely appreciate the significant effort and technical expertise involved in analyzing the extensive data and developing the proposed listing and delisting decisions.
29.02	3A	However, as CASQA has noted in previous listing cycles, many stormwater permits trigger immediate, specific requirements for waterbody-pollutant combinations that are 303(d) listed. These requirements include, but are not limited to, extensive additional monitoring, increased or focused inspections of industrial, commercial and/or construction sites, and the need to implement additional treatment controls at various scales (on-site to regional facilities)[2]. Universally, the 303(d) list impacts prioritization

Comment ID	Comment Category	Comment
		processes and, therefore, the allocation of limited public resources. [Footnote 2: CASQA has provided a detailed list of specific Phase I and Phase II permit requirements that are triggered by the 303(d) list in prior testimony in previous listing cycles, as well as to State Water Board staff directly.]
29.03	1B	COMMENT #1: WATERBODIES LISTED FOR BENTHIC COMMUNITY EFFECTS SHOULD BE IN CATEGORY 3, WHICH IS CONSISTENT WITH CALIFORNIA'S ADOPTED WATER QUALITY CONTROL POLICY FOR DEVELOPING THE CLEAN WATER ACT SECTION 303(D) LIST (LISTING POLICY Although USEPA issued the Partial Approval/Disapproval of the 2024 California Integrated Report on December 12, 2024, comments on this decision were accepted through January 15, 2025, and have not yet received a formal response.[5] Therefore, this decision is still open and subject to change. Until the USEPA position on this matter is finalized and comments addressed, the State Water Board's approach to the 2026 listings should fully conform to the adopted California Listing Policy and approach used for the 2024 Integrated Report. [Footnote 5: Also see the CASQA Comment letter submitted to USEPA on January 15, 2025.]
29.04	1B	CASQA supports the rationale and approach that was used by the State Water Board for the 2024 Integrated Report and does not agree with the State Water Board's decision to modify the approach used for the listings in the Draft 2026 Integrated Report. For the reasons listed below, CASQA recommends that the Draft 2026 Integrated Report benthic community listings should remain/be placed in Category 3:
29.05	1B	The 2026 listings must be consistent with the Listing Policy - The listing of waterbodies for benthic community effects in Category 3 is consistent with California's adopted water

Comment ID	Comment Category	Comment
		quality control policy for developing the Clean Water Act section 303(d) list (Listing Policy) Section 3.9.
29.06	1C	The term “associated with” inherently implies that there is causality; that the two findings are connected or one produces another[6]. Pursuant to the Listing Policy, the benthic community significant degradation must be associated with a pollutant. [Footnote 6: See also Merriam Webster.]
29.07	1C	A pollutant impairment affecting aquatic life is not, in and of itself, a causal association. In previous listing cycles, the directive that there must be an association of a pollutant was construed as meaning that a pollutant impairment affecting aquatic life was, itself, the requisite “association.” In recognizing that at least some judgement is involved in construing the requirement of an associated pollutant and that section 3.9 does not elaborate on how to determine if the degraded biology is “associated” with water or sediment pollutant concentrations, it has been determined that greater clarity needs to be provided in how to make decisions under section 3.9 for purposes of transparency and greater confidence in listing decisions.
29.08	1C	Listing a waterbody in category 5 for benthic community effects without an identified associated cause(s) places a significant resource and regulatory burden on the affected agencies to conduct the necessary studies to try to determine the cause(s) and source(s). The first and most critical step should be to identify the specific causes and sources of the observed biological degradation, rather than presuming a link to a previously identified pollutant associated with aquatic life beneficial use impairment. Proceeding without this clarity risks directing regulatory focus and resources toward disproving a potentially incorrect assumption - an approach that can lead to years, if not decades, of inefficient effort and significant cost. In contrast, understanding the actual causes and sources from the outset enables more targeted,

Comment ID	Comment Category	Comment
		effective, and resource-efficient regulatory action – and most importantly, water quality outcomes.
29.10	1E	The listings in the Draft 2026 Integrated Report were included even though there is no established water quality criterion, process, or policy to assess benthic community effects statewide – particularly on the Central Valley floor and in “modified” channels with hardened sides and/or bottoms, or those significantly straightened and repurposed for functions such as flood control. Further, there is no regulatory document within California that defines a CSCI score of 0.79 as the threshold of impairment for every type of receiving water condition throughout the State of California.
29.11	1D	Additionally, other scientific tools and studies, such as the Algae Stream Condition Index and Bio Integrity Prediction Models, are being developed and there is no direction as to how these tools should be used, if at all, for listing purposes. As a result, there is concern that the proposed Category 5 listings are premature as they are in advance of policy development, scientific tools, and data interpretation. Specifically, listing water bodies based on the CSCI in the absence of statewide guidance (which is currently under development) will likely result in statewide inconsistency and inappropriate and inaccurate listings.
29.12	1A	CASQA Recommendation: • Place all new and recategorized benthic community effects listings in Category 3. • Do not move any new benthic community effects listings from Category 3 to Category 5 until the State Water Board has adopted the Biostimulatory Substances Objective and Program to Implement Biological Integrity and identified a process or policy to assess benthic community effects and a methodology to determine the associated pollutants or conditions causing the impairment.

Comment ID	Comment Category	Comment
29.13	5A	COMMENT #2: ENSURE THAT ALL WATERBODIES INCLUDED IN THE INTEGRATED REPORT ARE WATERS OF THE UNITED STATES (WOTUS) SUBJECT TO THE CLEAN WATER ACT. The Clean Water Act (CWA) requires each state to identify waters within its boundaries that are considered impaired for applicable water quality standards. (CWA, § 303(d)(1)(A).) The term “waters” under the CWA means “waters of the United States” or “WOTUS.” Accordingly, waterbody-pollutant listings for purposes of the CWA 303(d) list, and the Integrated Report, must necessarily be limited to a finding of impairment for a WOTUS. However, the 303(d) list inappropriately includes discharge locations or drains that are not WOTUS. Any such waterbody must be excluded and deleted from the Integrated Report as they are not subject to the CWA.
29.14	5A	CASQA has made similar comments on past Integrated Reports. (See, e.g., CASQA Comments on the 2020-2022 Integrated Report and CASQA Comments on the 2024 Integrated Report.) In response, the Water Boards stated that they do not make jurisdictional determinations as part of the 303(d) process and that, if a determination is made by the US Army Corps of Engineers (Corps) that a 303(d) listed waterbody is not jurisdictional, then the waterbody will be removed in a future listing cycle. CASQA disagrees with the Water Boards’ response for several reasons.
29.15	5A	First, the statement is not accurate. By virtue of the Water Boards’ actions to include a waterbody as being impaired on the 303(d) list, they are making an affirmative finding that the waterbody is (at least presumptively) a WOTUS. Second, the Army Corps of Engineers makes jurisdictional determinations regarding administration of the CWA’s 404 program. (33 U.S.C., § 1344(d); 33 CFR Part 328.) Water quality standards and national pollutant discharge elimination system (NPDES) provisions of the CWA are administered by U.S. EPA and can be delegated to the

Comment ID	Comment Category	Comment
		States. (33 U.S.C., § 1251(d).) Accordingly, the Water Boards should not defer WOTUS determinations for 303(d) listing purposes to the Corps but rather determine on their own accord what waterbodies should be considered WOTUS. This is important for 303(d) purposes as well as for determining the application of NPDES permit requirements.
29.16	5A	Further, CASQA is concerned that the Water Boards may be assuming that the existence of data in CEDEN for a specified location or a drain means that the location is a WOTUS. Data is reported into CEDEN by many entities for various purposes and not all data is associated with a WOTUS. Thus, an essential preliminary step in developing the 303(d) list and the Integrated Report is to first determine if the waterbodies for which data exists in CEDEN are in fact WOTUS. It is improper to assume that just because data is in CEDEN that the waterbody identified is a WOTUS. While we recognize that the definition of what constitutes a WOTUS is often a moving legal target, that does not remove Water Boards responsibility for making a good faith effort to include only waterbodies that are considered to be a WOTUS on the 303(d) list.
29.17	5A	Examples of problematic listings that were first included in prior listing cycles and remain on the list include the following: • 2024 List - La Vista Drain (Ventura County) – Aluminum (Decision ID 153930) and Fenpropathrin (Decision ID 152765). The La Vista Drain is an agricultural drain designed to convey excess irrigation water from agricultural lands, and as such, it is predominantly an open ditch that flows alongside W. Los Angeles Avenue and then along Santa Clara Avenue where it becomes the Santa Clara Drain. Neither La Vista Drain or Santa Clara Drain are waterbodies designated with beneficial uses in the Basin Plan or shown in the

Comment ID	Comment Category	Comment
		map of tributaries to Revolon Slough in the Basin Plan. This listing should be removed.
29.18	5A	2024 List - Bolsa Chica and East Garden Grove Wintersburg Channels (Orange County) – Indicator Bacteria (Decision ID 149132), Ammonia (Decision ID 73788), pH (Decision ID 77494), and Ammonia (Decision ID 76724). Bolsa Chica and East Garden Grove-Wintersburg Channels (Channels) are man-made flood channels constructed as part of a municipal storm sewer system (MS4) used to collect and transport stormwater. They did not exist prior to urban development. Notably, the CWA presumptive uses (fishable/swimmable) do not apply, and these water bodies have no designated beneficial uses and no applicable water quality objectives within the Santa Ana Regional Water Board Basin Plan. Neither the Staff Report nor any of the Appendices provides sufficient basis upon which jurisdiction under the CWA can be exercised over the Channels given these factors. As an MS4, these Channels are not traditional navigable waters, and they cannot be classified as tributaries to traditional navigable waters subject to CWA jurisdiction.
29.19	5A	2022 List - Unnamed Tributary to Alder Creek (Sacramento County) – Bifenthrin (Decision ID 120667), Fipronil (Decision ID 120663), Fipronil Sulfone (Decision ID 120675), Imidacloprid (Decision ID 120665), and Pyrethroids (Decision ID 120662) The unnamed tributary is an MS4 structure used to convey residential drainage along a greenbelt prior to draining to stormwater detention ponds upstream of Alder Creek. As such, these sampling locations are part of the MS4 and its associated treatment features.
29.20	5A	At a minimum, we are requesting that the State Water Board proactively confirm the jurisdiction of waterbodies that are identified through the public comment process as part of the storm drain system or agricultural drains prior to

Comment ID	Comment Category	Comment
		finalizing the list to ensure that the list is as accurate as possible. If a monitoring location or waterbody cannot definitively be determined to be a WOTUS, then it should not be included within the Integrated Report.
29.21	5	CASQA Recommendation: • Ensure that proposed new waterbodies in the 303(d) List are subject to the CWA and are not portions of the MS4 or agricultural drains/channels. • Confirm the jurisdiction of the waterbodies/locations specifically listed within this comment and modify the draft 303(d) List and Integrated Report as needed.
29.22	4A	COMMENT #3: PROVIDE DOCUMENTATION OF HOW DATA ANALYSES WERE PERFORMED IN SUPPORTING DOCUMENTS AS OPPOSED TO PRESENTING RAW DATA SPREADSHEETS In order to be fully transparent and allow for an efficient public review of the new listings and delistings, all of the specific data that was used and the corresponding data analysis methodology should be fully and clearly documented within the Fact Sheets. Section 6.1.2.2 of the Listing Policy describes what must be included in the Fact Sheets, which specifically includes “Data evaluation as required by sections 3 or 4 of this Policy” (see Item M, page 19 of the Listing Policy). However, none of the Fact Sheets include the data calculations. Qualitative descriptions of the assessments do not comply with the Listing Policy requirements and quantitative calculations are needed in order to evaluate, and replicate, the proposed listings.
29.23	4A	In addition, there is no supplemental information or analysis provided when data was transformed by calculating a Water Effect Ratio, total to dissolved transformation, or other simple unit conversions. Thus, the reviewer is left sorting large amounts of data and spending excessive amounts of time to try to understand and replicate the analysis that was conducted by Water Board staff. Since

Comment ID	Comment Category	Comment
		the assessment was completed in order to determine impairment, the actual calculations and data transformations need to be provided as a part of the supporting Fact Sheet. In order to allow for a full and consistent review of the work that was completed as a part of the listing process, the Fact Sheets need to identify (at a minimum) what analysis was conducted and how it was conducted (show the work), the specific data was used, and what assumptions or deviations were made for the analysis (e.g., use of total data instead of dissolved).
29.24	4A	Similar comments were previously made in comment letters on prior listing cycles, including, the 2014-2016 303(d) List of Impaired Waters (letter dated April 26, 2017), the 2020-2022 303(d) List of Impaired Waters (letter dated July 16, 2021), and the 2024 California Integrated Report (letter dated April 3, 2023). While we appreciate the narrative descriptions and contextual information provided in the Fact Sheets, we respectfully request that the specific data and quantitative analyses used to support the listing determinations be included as part of the public review process. Providing this information is essential to ensure transparency and enable meaningful public review of all proposed listing decisions. CASQA Recommendation: • Fully document and provide for review the specific data and assessment methodology and resulting calculations used to support a listing decision in the Fact Sheets (e.g., show the work to allow for public review and replication).

Letter 30: Lake Elsinore and Canyon Lake TMDL Task Force

Comment ID	Comment Category	Comment
30.01	1I	Specifically, the LECL Task Force conveys here its general concerns in response to the State Water Board's proposed action to add 44 waterbodies for benthic community effects onto California's list of impaired waterbodies, and its specific concerns for inclusion of the San Jacinto River Reach 1.
30.03	1A	First, the LECL Task Force must express its general concern with use of the California Stream Condition Index (CSCI) and a score of 0.79 as a criteria for determining if WARM or COLD aquatic life beneficial uses are impaired. In California, state water quality standards must be adopted in accordance with Water Code, section 13200, et seq., which requires in part that regional water quality control boards (regional boards) must establish water quality objectives in water quality control plans that will ensure reasonable protection of beneficial uses. Water quality objectives are the criteria that should be used to evaluate beneficial use impairment. (Wat. Code, § 13050(h).) Further, when adopting water quality objectives, regional boards must consider specific factors as set forth in statute. (Wat. Code, § 13241.) The State Water Board is subject to the same requirements when it adopts water quality objectives for waters of the United States. (Wat. Code, § 13170.)
30.04	1A	Here, unfortunately, the State Water Board circumvented the state's statutory requirements and process for adopting water quality objectives by initially using the CSCI score of 0.79 in its Clean Water Act 303(d) listing process to find impairment to biological communities. The State Water Board has been engaged in a process to develop biological objectives in a statewide water quality control policy for many years. At no time over the last 10 years of this process has the State Water Board, through a formal public process, evaluated the CSCI score of 0.79 under Water code section 13241 to determine if it is an appropriate water quality objective to reasonably protect WARM and COLD beneficial uses statewide. Thus, as an initial matter,

Comment ID	Comment Category	Comment
		the LECL Task Force has concerns with its use by the State Water Board in the 2026 Integrated Report process.
30.05	1B	During the 2024 Integrated Report process, the State Water Board applied the 303(d) listing policy and process correctly and limited determinations of impairment to biological communities only if there was also an association with a pollutant causing impairment. (Listing Policy, § 3.9.) Accordingly, with respect to the 44 waterbodies in question, the State Water Board followed its policy and did not place these waterbodies in "Category 5 TMDL required" because there was a lack of data or information to associate a pollutant with the biological impairment based on the CSCI score. …the State Water Board now proposes to move all 44 waterbodies from Category 3 to Category 5 as part of the 2026 Integrated Report process based on U.S. EPA's draft determination. (See 2026 Integrated Report, Staff Report, p. 75.) The LECL Task Force disagrees with this action for several reasons.
30.06	1H	First, U.S. EPA's draft findings for the five Santa Ana River Basin waterbodies are not supported by the language of the narrative water quality objective identified by U.S. EPA, which was relied on by U.S. EPA to supports its partial disapproval. Specifically, the narrative water quality objective relied on by U.S. EPA states, "[i]nland surface water communities and populations, including vertebrate, invertebrate, and plant species, shall not be degraded as a result of the discharge of waste." In other words, if degradation is attributed to stressors other than pollutants, such as flow or habitat modification, then the narrative objective has not been exceeded. Rather, the objective is only exceeded if it is the result of a pollutant. The use of a CSCI score alone, regardless of the number, fails to account for or consider that degradation may be caused by non-pollutant factors.

Comment ID	Comment Category	Comment
30.07	1H	Second, U.S. EPA's partial disapproval shifts the burden of finding degradation based on "discharge of a waste" to proving that degradation is not caused by a discharge of waste. With respect to the Santa Ana waterbodies, this interpretation is inconsistent with the language of the narrative water quality objective and must be disregarded. Thus, the water quality objective itself requires that there be a pollutant associated with degradation to find impairment. Nothing in U.S. EPA's partial disapproval addresses the plain reading of the narrative water quality objective applicable to the Santa Ana waterbodies. Accordingly, U.S. EPA's determination as applied to the five Santa Ana waterbodies is improper and must be rejected by the State Water Board.
30.08	1F	Third, with respect to the San Jacinto River, Reach 1 specifically, application of a CSCI score of 0.79 is questionable considering that the San Jacinto River Reach 1 is not a perennial stream – and in fact – only receives flows intermittently from Canyon Lake overflows or the local drainage area. The lack of consistent, or even seasonal, flow in Reach 1 of the San Jacinto River is a significant factor that cannot be ignored. A recent study by the Southern California Coastal Water Research Project[1] categorizes stream types such as San Jacinto River, Reach 1 as seldomly flowing intermittent (SFI) streams, and notes that these streams in southern California, even if and when they have sustained flow, tend to have lower CSCI scores than other perennial or regularly flowing intermittent streams. Also, for San Jacinto River, Reach 1, when the dam overflows due to multiple large storms within a single rainy season, the resulting high flows cause scour in Reach 1, which significantly alters the benthic macroinvertebrate community and may take months to recover. The CSCI 0.79 threshold score was determined based only on data collected from perennial streams that met reference criteria and may not be appropriate for all types of waterbodies throughout the entirety of California. Unfortunately, EPA's broad-based approach for applying a CSCI score of 0.79 fails to allow for consideration of such significant factors

Comment ID	Comment Category	Comment
		such as the presence of engineered features within the reach and the lack of perennial flows. [Footnote 1: A Technical Foundation for Biointegrity and Eutrophication Indicators and Thresholds for Modified Channels, Intermittent Streams and Streams on the Central Valley Floor (2024).]
30.09	1I	Moreover, there is no associated pollutant that supports inclusion of the San Jacinto River, Reach 1 into Category 5 of the state's list of impaired waterbodies. Per the 2024 Integrated Report Fact Sheets, two aluminum samples collected in 2013 and 2017 are identified for San Jacinto River, Reach 1 in association with benthic community effects. However, one of the aluminum samples from February of 2017 was collected immediately after a major storm event and after Canyon Lake overflowed to Lake Elsinore and was associated with total aluminum in sediment. Measurements of total aluminum are not toxic to aquatic life. Rather, it is the amount of dissolved aluminum that may be toxic to aquatic life. For the 2017 sample, dissolved aluminum was measured as non-detect – meaning it not toxic to aquatic life and thus not causing degradation. Accordingly, the sample should be disregarded. The timing of the two samples is also unrelated to sample dates for benthic communities – meaning there is no correlation between aluminum and the benthic community effects.
30.10	1H	For the reasons provided above, the LECL Task Force requests that the State Water Board revise the 2026 Integrated Report to remove the San Jacinto River Reach 1, as well as the other Santa Ana waterbodies, from the state's Category 5 TMDL required list. Until a pollutant can be associated with degradation to the benthic macroinvertebrate community, inclusion of Santa Ana waterbodies is improper because it misapplies the region's narrative objective.

Letter 31: Save California Salmon

Comment ID	Comment Category	Comment
31.01	7R	McCloud River The McCloud River was not included in the 2026 Integrated Report data despite its importance to the Winnemem Wintu Tribe who are currently engaging in salmon restoration efforts. It is vital that McCloud River be considered for temperature, pesticide, turbidity, and sediment impairments to ensure the recovery of salmon populations.
31.02	7S	Battle Creek In the previous 2020 - 2022 Integrated Report responses to comments, it was noted that sufficient information was not available to identify a numeric turbidity threshold that indicates an adverse effect on beneficial uses as a result of salmon and steelhead sensitivity to turbidity. The 2026 Integrated Report should reconsider turbidity concerns for salmonids through conducting an up-to-date literature review.
31.03(a)	6D	Salmon In addition to pesticides and heavy metal pollutants, water temperature thresholds, oxygen levels, sediments, and turbidity need to be more seriously considered for each waterbody where salmon are going extinct. We have significant concerns that some of the pollutants that are the most harmful to salmon, such as temperatures, Dissolved Oxygen, and pesticides, such as copper, are not being tested for, or recommended for listings, even in areas where there are documented impairments. In cases where they are being listed, or have been listed, TMDLs are not scheduled to begin for over a decade despite well documented exceedances and impairments. Two such areas where these concerns are especially significant in relation to salmon are the Sacramento River and Smith River. We urge the board to identify where

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		additional water quality testing and staff time is needed to aid in listings, and TMDL creation, in key salmon habitats.
31.03(b)	7L	Salmon In addition to pesticides and heavy metal pollutants, water temperature thresholds, oxygen levels, sediments, and turbidity need to be more seriously considered for each waterbody where salmon are going extinct. We have significant concerns that some of the pollutants that are the most harmful to salmon, such as temperatures, Dissolved Oxygen, and pesticides, such as copper, are not being tested for, or recommended for listings, even in areas where there are documented impairments. In cases where they are being listed, or have been listed, TMDLs are not scheduled to begin for over a decade despite well documented exceedances and impairments. Two such areas where these concerns are especially significant in relation to salmon are the Sacramento River and Smith River. We urge the board to identify where additional water quality testing and staff time is needed to aid in listings, and TMDL creation, in key salmon habitats.
31.04(a)	6I	Cultural and Subsistence Fishing Beneficial Uses During the Water Board's presentation on March 18, 2025, it was noted that evidence of beneficial uses occurring include health advisories or if data was collected to evaluate the risk for human health and consumption. Work should be conducted to ensure water quality assessments are updated to reflect evidence that Tribal Beneficial Uses (TBUs) should be occurring when the beneficial use is not designated in the Regional Board Basin plans. If there is evidence that a tribal beneficial use should be occurring and if pollutants are found in excess in those waterbodies, the waterbody should be put on the 303d list. If TBU's are not included in this 303d list evaluation - they

Comment ID	Comment Category	Comment
		should be. And if they can't, then water bodies that border areas where TBUs are present, should be evaluated for this purpose.
31.04(b)	7E	Cultural and Subsistence Fishing Beneficial Uses During the Water Board's presentation on March 18, 2025, it was noted that evidence of beneficial uses occurring include health advisories or if data was collected to evaluate the risk for human health and consumption. Work should be conducted to ensure water quality assessments are updated to reflect evidence that Tribal Beneficial Uses (TBUs) should be occurring when the beneficial use is not designated in the Regional Board Basin plans. If there is evidence that a tribal beneficial use should be occurring and if pollutants are found in excess in those waterbodies, the waterbody should be put on the 303d list. If TBU's are not included in this 303d list evaluation - they should be. And if they can't, then water bodies that border areas where TBUs are present, should be evaluated for this purpose.

Letter 32: Suzanne Evola

Comment ID	Comment Category	Comment
32.01	6B	As leaders entrusted with our safety I expect ALL scientific data to be available and used and it seems like earlier information is being ignored. This is NOT okay. PLEASE reconsider this plan and ensure that the bacteriological quality of our beautiful waters of the North Coast Region is not further degraded beyond natural background levels. Please do the right thing.

Letter 33: Dennis Tuite

Comment ID	Comment Category	Comment
33.01	6A	I believe you should not delist the streams in humboldt county.

Summary of Oral Comments from March 18, 2025 Public Hearing

34: Bart Deamer, The OWTS Residents of the Russian River

Comment ID	Comment Category	Comment
34.01	6M	Commenter is concerned about the proposed listing of Monte Rio Beach as impaired for bacteria, as it excludes older data (2002-2012) that would show the beach is not impaired. Requests clarification on whether excluding this data aligns with the listing policy.
34.02	6O	Questions the use of a stricter 4% statistical test rather than the standard 10% test in evaluating the Monte Rio Beach data. Asks whether the data indicates a human source of bacteria, which is a requirement for applying the stricter test.

35: Karen Cowan, California Stormwater Quality Association

Comment ID	Comment Category	Comment
35.01	1B	Commenter concerned that the 2024 benthic community effects listings are uncertain, with a less robust public process at the federal level compared to the 2024 state-led effort. Mentioned that they and many others have submitted comments during the federal public process. They emphasized the importance of considering the status of the

		2024 listings when making decisions about Category 3 and 5 benthic community listings for the 2026 cycle.
35.02	1C	Commenter emphasized the regulatory impact on stormwater permittees when listing waterbodies for benthic community effects in Category 5 versus Category 3. Category 5 listings immediately trigger permit actions like pollutant reduction plans, inspections, BMP implementation, and additional monitoring, even if the listings are designated as low priority. Some Phase 1 permits have stormwater management plans that require a pollutant reduction plan if anything is listed on the 303(d) List.
35.03	1C	There's also the matter of correlation vs. causation. The 2026 list methodology assumes that if there's an impairment, the associated pollutant is to blame. But scientifically, that's not always clear. If listed in Category 5, the burden falls on permittees to fund studies to confirm or refute the assumed pollutant source. Commenter requests that the Board consider both scientific uncertainty and policy implications when deciding between Category 3 and 5 listings, and to weigh the long-term costs and responsibilities placed on permitees.

36: Maria Depaz, Los Angeles Department of Water and Power ("LADWP")

Comment ID	Comment Category	Comment
36.01	8A	LADWP thanks the board for the opportunity to comment on the 2026 303(d) list. LADWP appreciates the work of the Lahontan Regional Water Quality Control Board for assisting LADWP to delist Haiwee Reservoir for copper.
36.02	8A	Commenter supports the delisting of indicator bacteria for Mono and Owens Basins, and delisting nitrogen and phosphorus for Crowlee Lake.

37: Thomas Grovhoug, Larry Walker Associates

Comment ID	Comment Category	Comment
37.01	1A	Commenter raises concern that the recent USEPA letter pushing to move benthic community listings from Category 3 to Category 5 is elevating the CSCI score of 0.79 as a regulatory tool equivalent to a water quality objective.
37.02	1G	Commenters emphasized that it's not sustainable or realistic, especially in Central Valley streams where tens of thousands of miles could be affected. Commenter questions whether 0.79 is the right goal for all inland waters, which management actions have to be taken to achieve a 0.79 score in all waters, the cost associated with it, and if it will impact affordability of sewer rates.
37.03	1G	In the Central Valley, we don't think 0.79 is the right number based on the SCCWRP report. Commenter requests that the Board refrain using 0.79 score in the Central Valley.
37.04	1B	Commenter requests that any waters listed based on the 0.79 score be placed in Category 3 since causation information is not available.
37.05	1A	Commenter requests affirmation from the Board that the CSCI score is not a water quality objective, has not been considered in the required process for setting objectives to address attainability, and should not be used as a regulatory tool until that occurs.

38: Jared Voskuhl, California Association of Sanitation Agencies

Comment ID	Comment Category	Comment
38.01	2A	The commenter emphasized the importance of defensible science when evaluating emerging issues like ocean acidification ("OA"). They referenced USEPA's requirement

		for quality assurance plans to ensure scientific findings can withstand legal scrutiny.
38.02	2B	The commenter noted that the driving force behind OA is carbon dioxide and greenhouse gas emissions. Commenter suggested that listing under Category 4C or developing a new waterbody condition category 5C for the California Integrated Report, similar to what Oregon did in their Draft 2024 Integrated Report, may be more appropriate.
38.03	2C	Commenter asserts that if California does not use a Category 4C or 5C approach, it would imply that nitrogen, specifically from wastewater discharges, is the primary cause of OA impairments. In Southern California, wastewater agencies contribute only 6% of total nitrogen to the Bight, with the remaining 92% coming from natural ocean upwelling. Commenter cited a 2014 Southern California Coastal Water Research Project publication as the source.
38.04	2C	The commenter notes issues with correlating wastewater discharges to impacts observed tens of miles away from ocean outfall and raises concerns about the limited empirical data available for sustained exposure conditions needed to validate the threshold.
38.05	2D	The commenter noted that the California Integrated Report includes ocean water quality data down to 200 meters, which raises concerns about how depth is addressed in the supporting scientific model. An independent expert review of the model recommended a sensitivity analysis, particularly regarding how the model handles light. The model treats light intensity at the surface as equal to that at 200 meters, which could bias predictions related to oxygen, carbon, nitrogen, and algal production.
38.06	2E	The commenter addressed claims from a separate meeting that the model review process was industry-funded, clarifying that this is inaccurate. The modeling team itself requested the review, which was funded by member agencies in collaboration with the Ocean Protection Council, Regional Water Boards, and State Water Board. A meeting is scheduled in the coming weeks to prioritize and

		incorporate the experts' recommendations. The commenter urged the State Water Board to consider the full context of the review process and expressed appreciation for ongoing collaboration.

39: Tess Dunham, Kahn, Soares & Conway

Comment ID	Comment Category	Comment
39.01	1E	The commenter expresses concern about using a CSCI score threshold of 0.79 as the default for determining biological degradation and impairment listings. Commenter asserts that this conservative approach may not be appropriate for all waterbody types, especially agricultural drains in the Central Valley, which are engineered to carry agricultural tailwater. The use of the 0.79 threshold in such contexts, combined with the presence of any pollutant, could trigger an unjustified Category 5 impairment listing.
39.02	1B	The commenter notes that other factors like flow conditions, channel design, and seasonality could be responsible for observed biological degradation rather than pollutants. They argue that this uncertainty warrants keeping these waterbodies in Category 3 instead. A Category 5 listing would also require additional monitoring under the Irrigated Lands Regulatory Program, which may be unnecessary.
39.03	1B	The commenter emphasizes that EPA's draft partial disapproval should not be the sole reason for changing the listing status, especially since the original Category 3 placement acknowledged the uncertain link between biological degradation and specific pollutants. They urge the Board not to abandon the previous approach and to wait for further analysis of the 2024 Southern California Coastal Water Research Project report before making determinations based on the 0.79 score.