



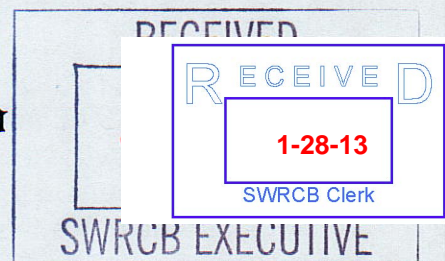
County of San Diego

DEPARTMENT OF PUBLIC WORKS

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Jeanine Townsend
Clerk to the Board
State Water Resources Control Board
1001 I Street, 24th Floor
Sacramento, CA 95814

Comment Letter- Board Workshop: Scientific basis for development of statewide policy for biological objectives.

To Whom It May Concern,

The County of San Diego (County) has received notice of the above workshop and is providing this letter in response.

The County initiates several infrastructure projects each year that result in minor impacts to Waters of the United States or Waters of the State. These impacts require permits from the State or Regional Water Quality Control Board under section 401 of the Federal Water Pollution Control Act or the state Porter-Cologne Water Quality Control Act.

For the past two years a special condition to conduct **Benthic Macroinvertebrate (BMI) Community Analysis** has been placed in several of these 401 Clean Water Certifications. In an attempt to comply with this condition the County has conducted research into the BMI process which results in the following comments.

The majority of streams in San Diego County are intermittent or ephemeral. County projects that require a 401 permit usually result in very small (less than 1/10 acre) of impacts to waters or the U.S/State. Many times the proposed mitigation sites for these wetland impacts are located offsite on small intermitant or ephemeral streams.

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Cost estimates received to conduct benthic macroinvertebrate community analysis indicate costs of up to one hundred thousand dollars which in one case exceeded the construction cost of the project. In addition, a review of the BMI protocol indicates large, wet sites adjacent to proposed projects are needed to obtain useful data on the effect of development on wetland ecosystems.

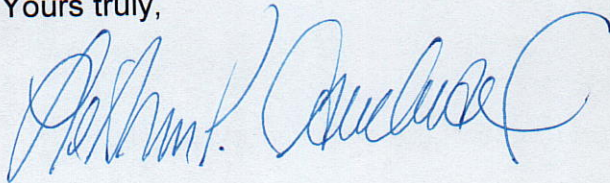
The County has negotiated with the local Regional Water Quality Control Board to remove this condition from some existing 401 Permits as infeasible and not appropriate.

We are very concerned with implementation of Benthic Macroinvertebrate Community Analysis as a new statewide standard. We believe that it should only be required when the project or the mitigation site warrant this level of analysis.

The majority of projects initiated by the County of San Diego would not provide useful data from this costly analysis because of the arid nature of the area, small project size, and small offsite mitigation areas located on intermittent or ephemeral streams.

For these reasons we respectfully request that small projects and/or mitigation sites located in xeric regions be excluded from this requirement. We appreciate your attention in this matter.

Yours truly,



LeAnn Carmichael
Land Use/Environmental Group Manager
County of San Diego
Department of Public Works