



VIA EMAIL

December 14, 2017

Jeanine Townsend
Clerk to the Board
State Water Resources Control Board
P.O. Box 100
Sacramento, CA 95814



Subject: Comment Letter – Sediment Quality Objectives

Dear Ms. Townsend:

The San Diego Unified Port District (District) appreciates the opportunity to provide comments in response to the Proposed Amendments to the Water Quality Control Plan for Enclosed Bays and Estuaries: Sediment Quality Provisions (SQO Provisions). As the public trustee of San Diego Bay (Bay), the District shares a common interest with the State Water Resources Control Board (State Board) in ensuring the protection of the Bay's beneficial uses. The District supports the State Board's continued efforts to address sediment quality issues. Moreover, the District uses the current State Board's SQO framework as an assessment tool as part of the Regional Harbor Monitoring Program and recognizes the value in having consistent statewide methodology to evaluate sediment quality.

The District recognizes the difficult task in developing a program to address multiple issues in bays and estuaries throughout California, and agrees that a narrative approach is more appropriate than numeric criteria. To this end, the District respectfully submits the following comments regarding the SQO Provisions.

- 1. The application of the SQO framework should be consistent across the State.** The SQO process is intended to supplement current point and non-point source discharge monitoring programs as a screening tool to identify area(s) having potential sediment impacts. The approach, as identified in the SQO Provisions, monitors the health of marine sediments with a Multiple Lines of Evidence (MLOE) approach. The District agrees this is a useful tool for the purpose of assessing general conditions (i.e. screening) of embayments. The District also understands the SQOs are not intended to be used to analyze areas pre/post for routine maintenance or dredging.

The guidance provided in the SQO Provisions, however, remains unclear in regards to the use of SQOs for the identification, delineation, or impact analysis of legacy contaminated sites. The District believes that SQOs can be valuable to ensure ecosystem and human health protection at certain sites with legacy contamination, but must be used on a discretionary site-by-site basis to avoid misuse.

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2. **The State Board should provide guidance on the correct sampling frequency and collection methodologies needed to appropriately delineate the site “area” for SQO analyses.** The current language in the SQO Provisions dictate that if 15% of the site “area” fails the SQO protocol, the site is considered impacted or potentially impacted. However, it is not specified how the size of the site will be determined. Including guidance on how to correctly sample and define a site “area” will avoid the potential misuse of site delineation which could in turn result in skewed results.
3. **The District cautions the State Board to approach site linkage determinations in a regulatory context on a provisional basis.** The amendment to the SQO Provisions includes the determination of site linkage between estimated fish tissue concentrations at the site being investigated and observed fish tissue concentrations in the general area of the site. As presented, the site linkage calculation process relies upon the Arnot and Gobas food web model, specified inputs, and the use of Monte Carlo simulations to develop a distribution of site linkages that takes into account uncertainty and variability of the input parameters. While this attempt at developing site linkages may be promising, the District is concerned that this novel approach may not be useful in a regulatory context. For example, even with large datasets, site-specific models including the Arnot and Gobas model, are considered to be well calibrated if the estimated fish tissue concentration is within 2 times the measured concentration. With this level of variability between estimated and measured fish tissue concentrations, the ability to differentiate site linkages will be highly uncertain, particularly given that the framework does not appear to include a step to calibrate the model to a site, or even verify that it is reasonably able to predict site concentrations. Given this concern, the District is offering to work with the Regional and State Boards to validate this approach for San Diego Bay sites, when and where applicable.
4. **The District recommends the analysis of all 209 polychlorinated biphenyl (PCB) congeners at sites where source identification is an objective.** The SQO Provisions require that a subset of 50 polychlorinated biphenyl (PCB) congeners consistent with those analyzed for the Surface Water Ambient Monitoring Program (SWAMP) be determined. Determining a subset of 50 congeners may be appropriate for monitoring sites where consistency over time is the objective. However, for sites where source identification is of concern, the District recommends the requirement to quantify all 209 PCB congeners. The District understands that the cost to analyze all 209 PCB congeners is approximately double the cost to analyze the SWAMP congener subset recommended in the amendment. However, we surmise that the long-term benefits likely outweigh the cost, particularly at sites where the ultimate goal is reducing or eliminating the source of PCB contamination. Analyzing for all 209

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congeners not only allows for a more accurate determination of total PCBs, it also allows for the evaluation of the distribution of congener patterns to help with the identification of PCB sources. This is particularly important for sites that have multiple and/or on-going sources. The requirement to analyze for only 50 of the 209 PCB congeners may not allow for adequate source identification. As such, the guidance should, at minimum, provide the Regional Boards the flexibility to consider the full suite of 209 PCB congeners as optional analysis in areas where PCBs are a higher priority.

The District supports the State Board's efforts toward the protection of beneficial uses and is committed to our respective agencies' shared goal of improving the sediment quality in San Diego Bay. The District greatly appreciates the State Board's on-going work and looks forward to continued collaboration on programs and initiatives that assist in sediment quality improvements throughout the Bay, which, in turn benefits all residents and visitors alike.

If you have any questions or would like additional information related to the comments submitted herein, please contact Kelly Tait, Senior Environmental Specialist, Environmental Protection Department, at (619) 686-6372 or via email at ktait@portofsandiego.org.

Sincerely,



Karen Holman
Director, Environmental Protection
Planning and Green Port

KH: aa

cc: Jason H. Giffen, Assistant Vice President, Planning and Green Port
John Carter, Deputy General Counsel