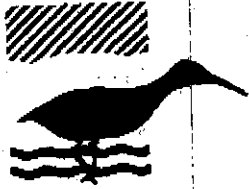


11/19/07 Public Hearing
 Enclosed Bay/Estuaries-SQO
 Deadline: 11/30/07 by 12 p.m.

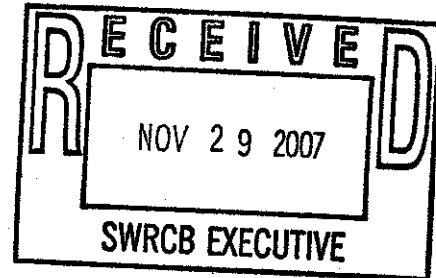


**Santa Clara Valley
 Urban Runoff
 Pollution Prevention Program**

Campbell • Cupertino • Los Altos • Los Altos Hills • Los Gatos • Milpitas • Monte Sereno • Mountain View • Palo Alto
 San Jose • Santa Clara • Saratoga • Sunnyvale • Santa Clara County • Santa Clara Valley Water District

November 30, 2007

Song Her, Clerk to the Board
 Executive Office
 State Water Resources Control Board
 P.O. Box 100
 Sacramento, CA 95812-0100



Subject: Comments on the Proposed Water Quality Control Plan for Enclosed Bays and Estuaries - Sediment Quality (Part 1).

Dear Chair Dudoc and Board Members:

Thank you for the opportunity to comment on the *Draft Staff Report, Water Quality Control Plan for Enclosed Bays and Estuaries, Part 1- Sediment Quality (Draft Staff Report)*, dated September 27, 2007, which describes the proposed Sediment Quality Objective (SQO) and the program for implementation of the SQO. These comments are submitted on behalf of the Santa Clara Valley Urban Runoff Pollution Prevention Program (SCVURPPP), an association of 13 cities and towns¹ in the Santa Clara Valley, the County of Santa Clara and the Santa Clara Valley Water District. SCVURPPP participants share a common NPDES permit to discharge municipal stormwater to South San Francisco Bay. The following comments are supplemental to those submitted by the California Stormwater Quality Association (CASQA) which SCVURPPP supports and are incorporated by reference into this letter.

In general, the SCVURPPP supports the scientific aspects of the proposed SQO presented in the Draft Staff Report. It appears that the State Water Board's use of a Scientific Steering Committee and Advisory Committee have created a robust and scientifically supportable policy. This is especially evident in the development of a "multiple lines of evidence" approach and in requiring stressor identification prior to implementation of management actions.

In contrast to the science behind the proposed policy, we have several concerns and request clarification on the details of the SQO policy implementation plan. Specifically, further details and/or clarification need to be provided in the SQO policy relative to the following items:

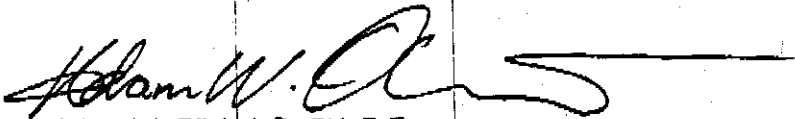
1. What regulatory and implementation actions would be required, and by whom, if a SQO is exceeded? How does the SQO policy envision addressing CEQA as part of the "site-by-site" local implementation evaluations mentioned in the draft SQO policy? How does the draft SQO policy currently address "site-by-site" economics associated with implementation as well as evaluation of future "site-by-site" economic and potential unfunded mandate concerns?

¹ Campbell, Cupertino, Los Altos, Los Altos Hills, Los Gatos, Milpitas, Monte Sereno, Mountain View, Palo Alto, San Jose, Santa Clara, Saratoga and Sunnyvale

2. What is the process and timeline for updating the current 303(d) listing policy to incorporate the proposed multiple lines of evidence approach contained in the draft SQO policy? Can the SWRCB's 303d listing policy be concurrently updated as part of the adoption of the draft SQO policy?
3. What is the feasibility and practicability, including the scientific basis, of the proposed SQOs being applied as receiving water limits in POTW and Industrial NPDES permits and particularly, in municipal stormwater permits?
4. Why are the monitoring frequencies (Appendix A, Section VII.D) for sediment in stormwater discharges included in the Draft Staff Report (i.e., Appendix A)? Stormwater monitoring requirements (including frequencies) are typically developed and tailored by Regional Boards in municipal NPDES permits based on regional as well as local specific management questions, data needs, and characteristics, (i.e., land uses and known pollutants of concern). Simply requiring minimum frequencies for monitoring sediment in stormwater via a statewide policy will likely gather data that are of little use, while expending limited local public resources. For these reasons, we recommend removing Section VII.D and instead inserting guidance to the Regional Water Boards on what type of monitoring should be considered in municipal NPDES permits for stormwater and under what circumstances.

For the SQO to be implemented effectively and efficiently, it is imperative that the State Water Board address these questions and concerns as part of the development and adoption of the SQO policy. Please contact me or Chris Sommers at (510) 832-2852 if you have any questions regarding the information presented in this letter.

Sincerely,



Adam W. Olivieri, Dr.PH, P.E.
SCVURPPP Program Manager

CC: Bruce Wolfe, SFB Water Board
Tom Murnley, SFB Water Board
SCVURPPP Management Committee