



Terry Tamminen
Secretary for
Environmental
Protection

State Water Resources Control Board

Division of Water Quality

1001 I Street • Sacramento, California 95814 • (916) 341-5455
Mailing Address: P.O. Box 100 • Sacramento, California • 95812-0100
FAX (916) 341-5463 • Internet Address: <http://www.swrcb.ca.gov>



Arnold Schwarzenegger
Governor

December 15, 2003

Professor Robert C. Spear
140 Warren Hall
School of Public Health
University of California
Berkeley, CA 94720-7360

Dear Professor Spear:

PEER REVIEW OF DRAFT WATER QUALITY CONTROL POLICY FOR DEVELOPING CALIFORNIA'S CLEAN WATER ACT SECTION 303(d) LIST AND FUNCTIONAL EQUIVALENT DOCUMENT

Thank you for agreeing to review the proposed Water Quality Control Policy and Functional Equivalent Document (FED). This draft is to be reviewed in conformance with California Health and Safety Code section 57004 which requires "external scientific peer review of the scientific basis for any rule proposed by any board, department or office within the agency."

As a peer reviewer, you will evaluate the scientific bases for the proposed Policy and prepare a written report that states the findings of your evaluation. If you find that portions of the proposed Policy are not based on sound science, the report should include the rationale for those findings.

The scientific bases of the proposed Policy are presented in the Issue Analysis portion of the document. I am also enclosing a copy of the Public Hearing Notice associated with the proposed Policy adoption. The Public Hearing Notice provides some background on the CWA section 303(d) listing process as well as a brief summary of the goals and key issues contained within the proposed Policy. We request that any comments generated from your review of the draft FED and the draft Policy be submitted to us on or before January 28, 2004. In the interim, if you have any questions or need additional information, I can be reached at (916) 341-5562.

Sincerely,

Fred LaCaro
TMDL Listing Unit
Division of Water Quality

Enclosures (3)

cc: Craig J. Wilson
Division of Water Quality
State Water Resources Control Board



Terry Tamminen
Secretary for
Environmental
Protection

State Water Resources Control Board

Arthur G. Baggett Jr., Chair
1001 I Street • Sacramento, California 95814 • (916) 341-5566
Mailing Address: P.O. Box 100 • Sacramento, California • 95812-0100
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Arnold Schwarzenegger
Governor

NOTICE OF PUBLIC HEARING

DRAFT WATER QUALITY CONTROL POLICY FOR DEVELOPING CALIFORNIA'S CLEAN WATER ACT SECTION 303(d) LIST AND DRAFT FUNCTIONAL EQUIVALENT DOCUMENT

Wednesday, January 28, 2004 – 10:00 a.m.

Coastal Hearing Room – Second Floor
Joe Serna, Jr. Cal/EPA Headquarters Building
1001 "T" Street, Sacramento, CA

and

Thursday, February 5, 2004 – 10:00 a.m.

Torrance Community Meeting Hall
Torrance Cultural Arts Center
3330 Civic Center Drive, Torrance, CA

NOTICE IS HEREBY GIVEN that the State Water Resources Control Board (SWRCB) will hold a public hearing to seek comments on the proposed Water Quality Control Policy for Developing California's Clean Water Act (CWA) section 303(d) List (Policy). As required by Water Code section 13191.3(a), the Policy contains guidelines to be used by SWRCB and the Regional Water Quality Control Boards (RWQCBs) in listing and delisting waters pursuant to section 303(d) of the federal CWA (33 U.S.C. section 1313[d]). SWRCB is requesting comments on the draft Functional Equivalent Document (FED) and the draft Policy.

SWRCB will not take final action at the hearing. The draft Policy will be considered for adoption and the draft FED will be considered for approval at a future Board Meeting.

BACKGROUND

Section 303(d) of CWA requires states to identify waters that do not meet applicable water quality standards with certain technology-based controls alone. Applicable standards include the designated beneficial uses, the adopted water quality objectives, and the State's antidegradation policy. The section 303(d) list must include the water quality limited segments, associated pollutants, and a priority ranking of the waters for purposes of developing Total Maximum Daily Loads (TMDLs) in the next two years. A TMDL is the maximum load of a pollutant that can be present in a water body without exceeding water quality standards. States are required to submit the section 303(d) list and TMDL priorities to the U.S. Environmental Protection Agency for approval in even numbered years.

California Environmental Protection Agency

In 2002, the California Water Code was amended to include section 13191.3(a) requiring the development of guidelines to be used by SWRCB and the RWQCBs in listing, delisting, as well as developing, and implementing TMDLs pursuant to section 303(d) of the federal CWA (33 U.S.C. section 1313[d]). The draft Policy contains the guidelines for listing and delisting waters.

SUMMARY OF THE DRAFT POLICY

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AVAILABILITY OF THE DRAFT FED AND DRAFT POLICY

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Written comments should be submitted to:

Craig J. Wilson
TMDL Listing Unit
Division of Water Quality
State Water Resources Control Board
P.O. Box 100
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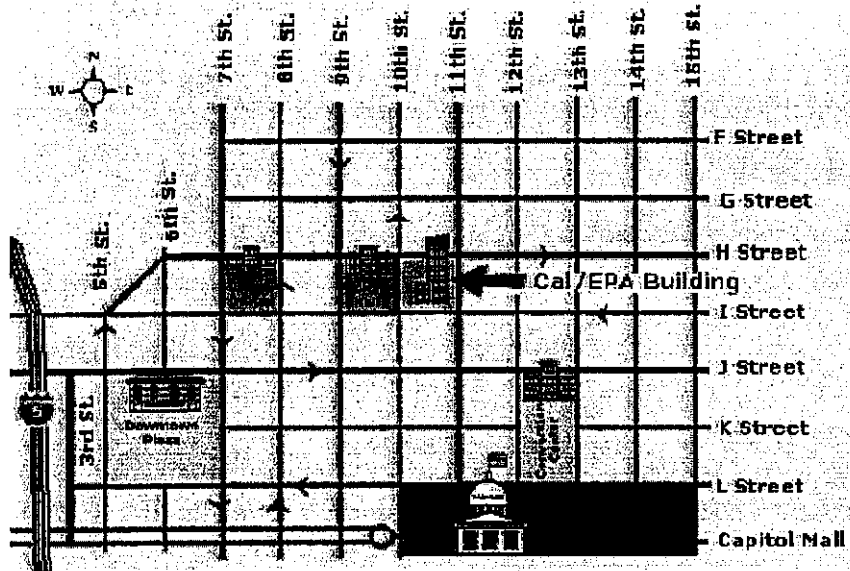
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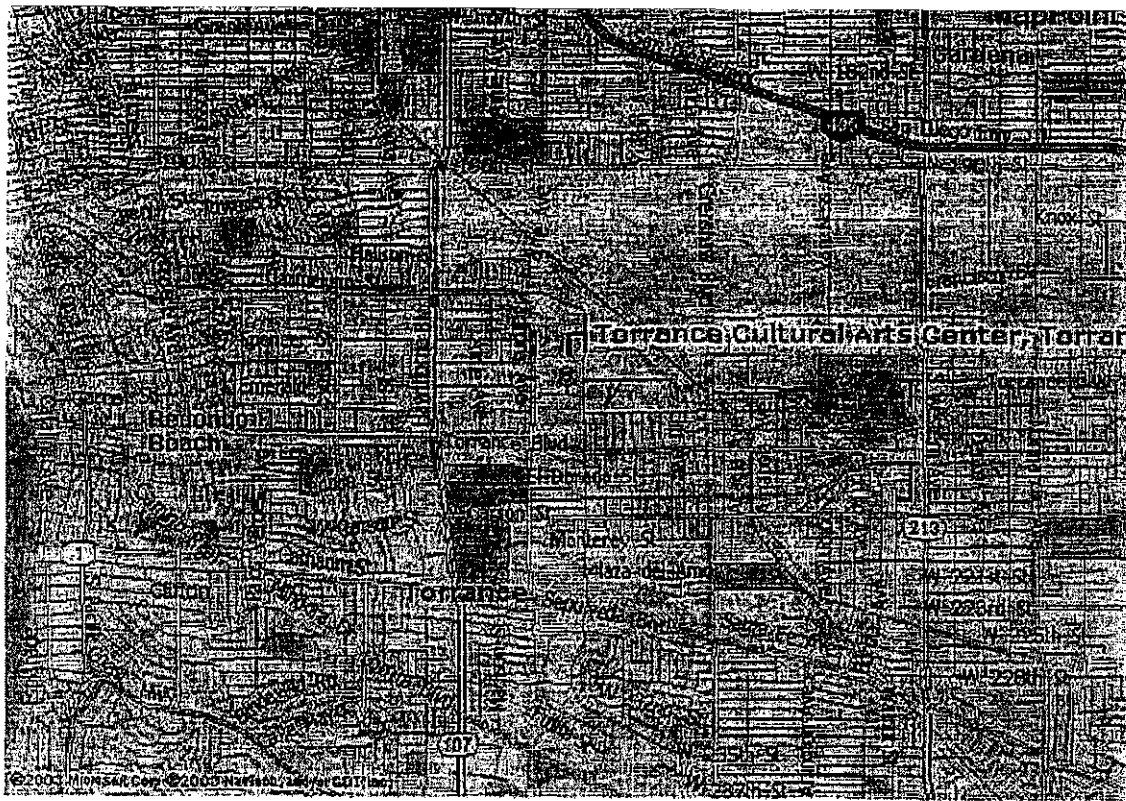


Debbie Irwin
Clerk to the Board

Date: December 2, 2003

Enclosures (3)





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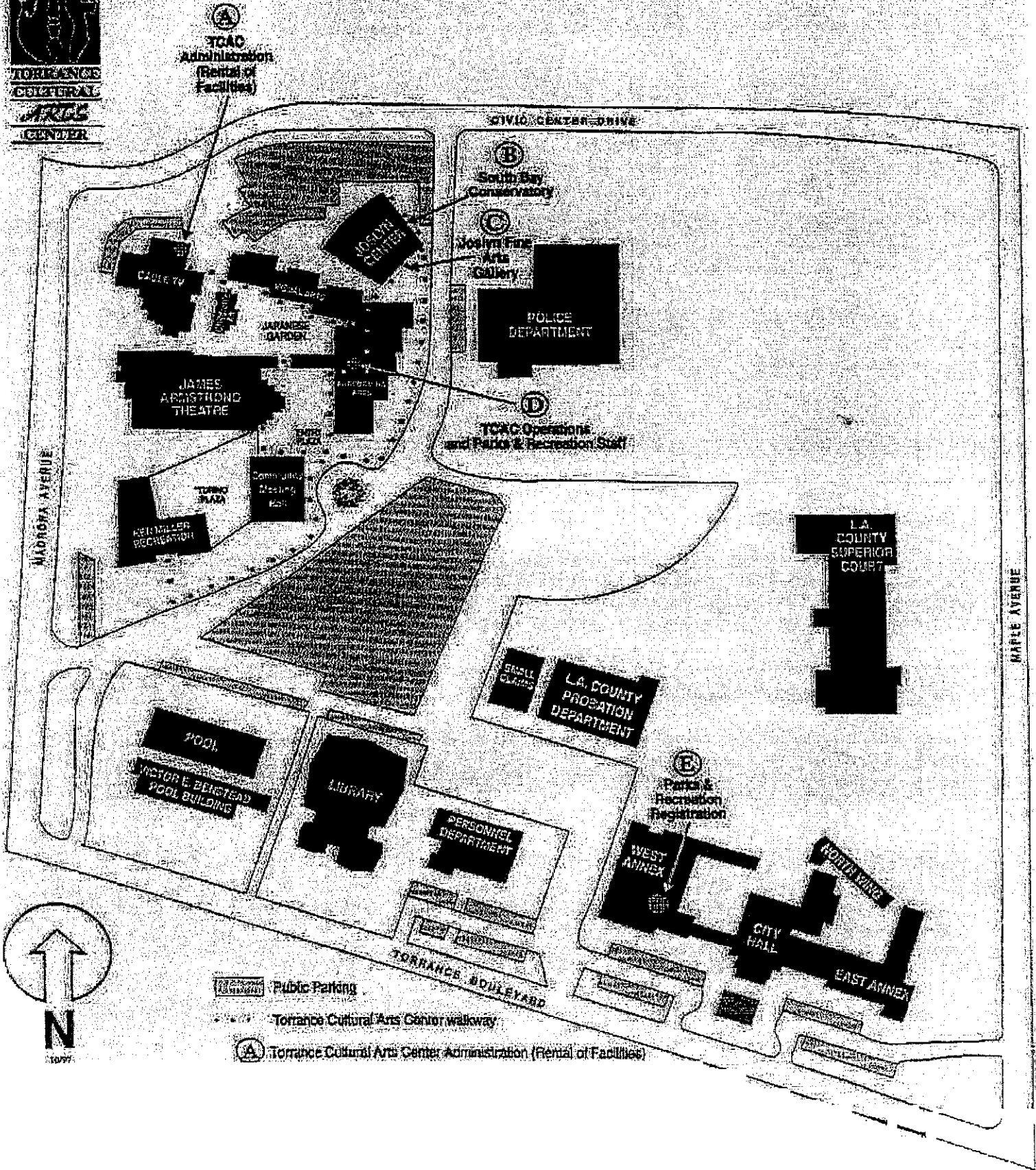
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Torrance Cultural Arts Center

**TORRANCE
CULTURAL
ARTS
CENTER**



-  Public Parking
-  Torrance Cultural Arts Center walkway
-  Torrance Cultural Arts Center Administration (Rental of Facilities)

Draft

Functional Equivalent Document

Water Quality Control Policy for Developing
California's Clean Water Act Section 303(d) List



December 2003

DIVISION OF WATER QUALITY
STATE WATER RESOURCES CONTROL BOARD

Draft

Functional Equivalent Document

Appendix
Draft Water Quality Control Policy



December 2003

DIVISION OF WATER QUALITY
STATE WATER RESOURCES CONTROL BOARD
CALIFORNIA ENVIRONMENTAL PROTECTION AGENCY

CIV0117

State Water Resources Control Board



Terry Tamminen
Secretary for
Environmental
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Division of Water Quality

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Arnold Schwarzenegger
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December 15, 2003

Professor David Jenkins
11 Yale Circle
Kennington, CA 94708

Dear Professor Jenkins:

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State Water Resources Control Board



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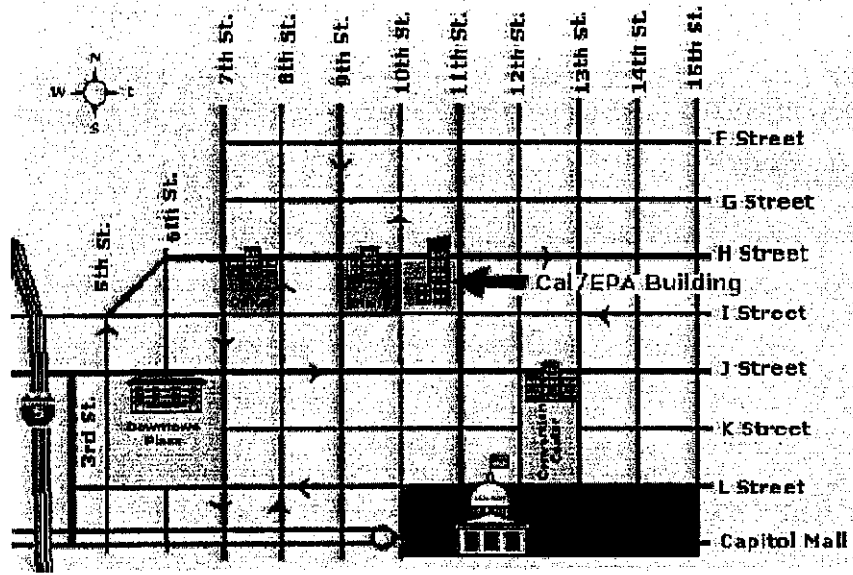
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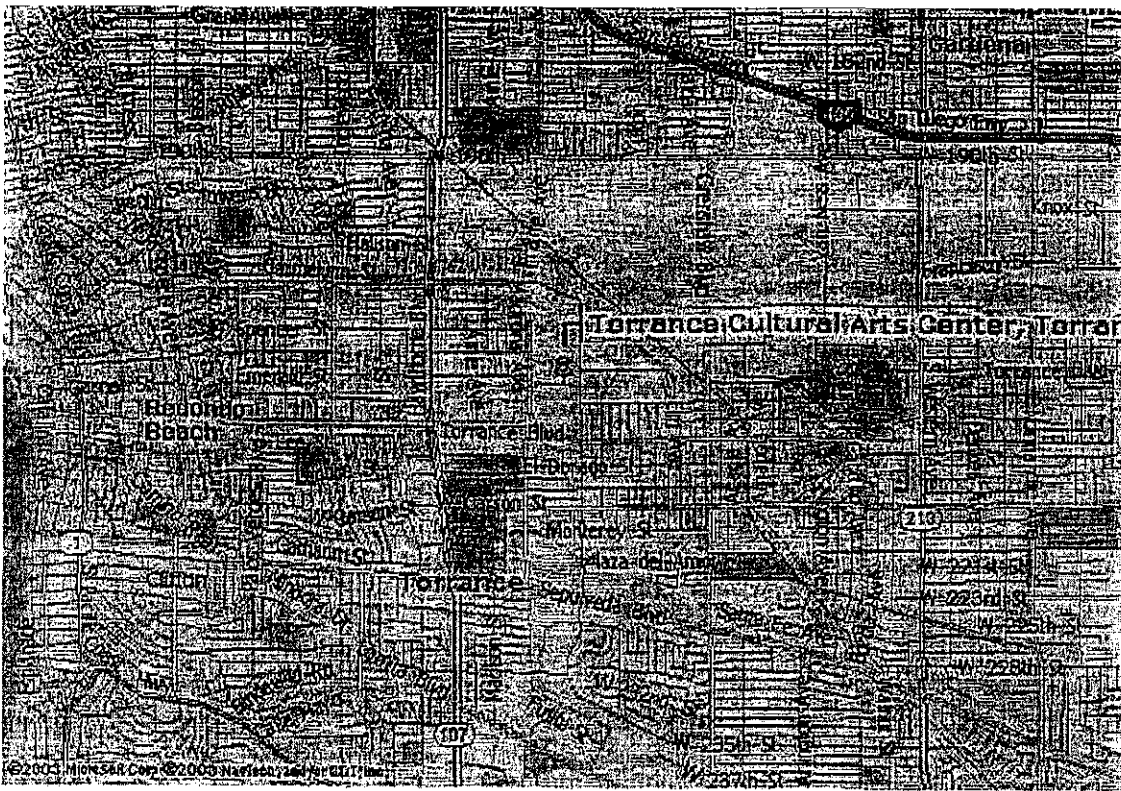


Debbie Irvin
Clerk to the Board

Date: December 2, 2003

Enclosures (3)





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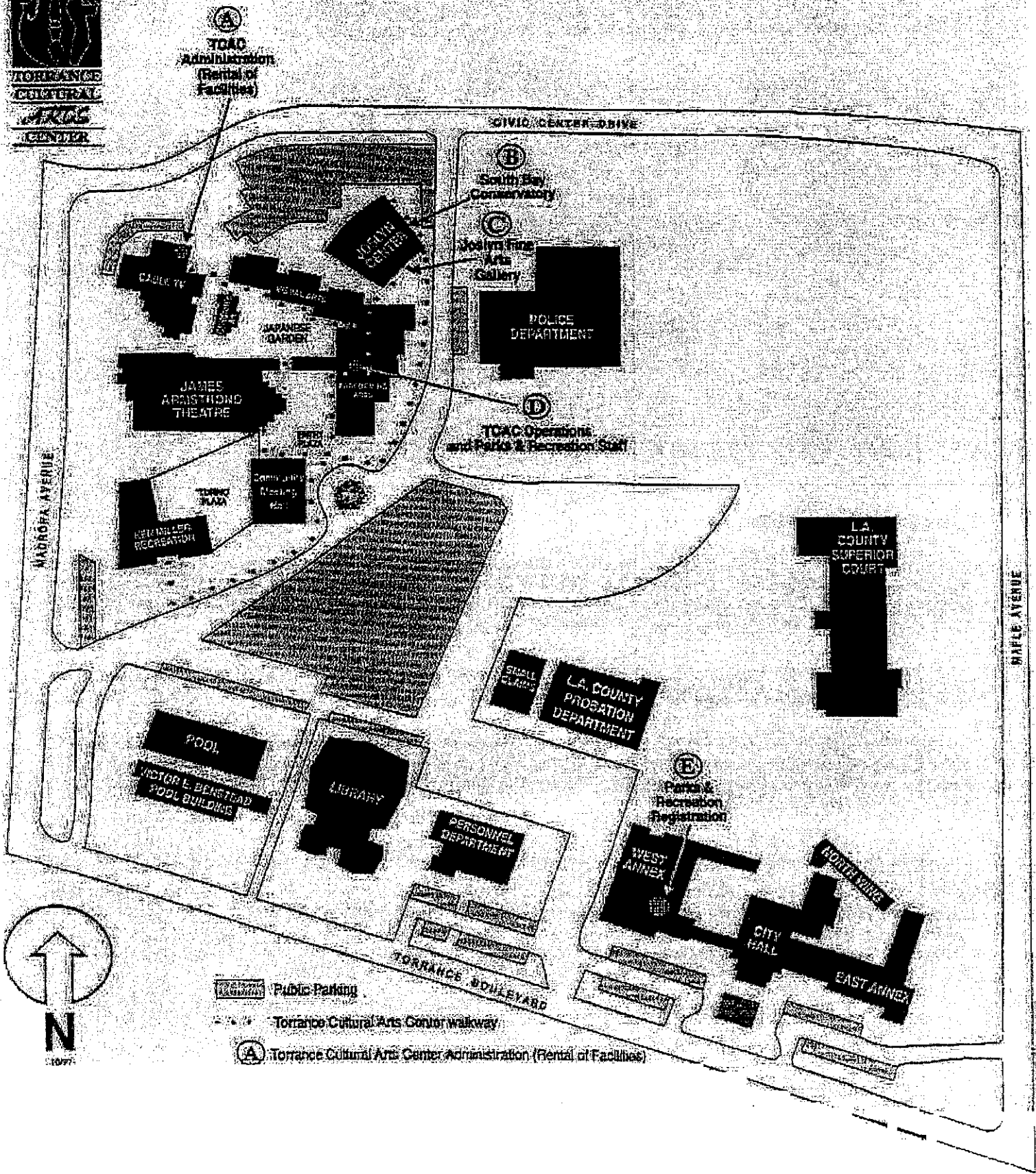
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Torrance Cultural Arts Center

TORRANCE
CULTURAL
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Draft

Functional Equivalent Document

Water Quality Control Policy for Developing
California's Clean Water Act Section 303(d) List



December 2003

DIVISION OF WATER QUALITY
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Draft

Functional Equivalent Document

Appendix
Draft Water Quality Control Policy



December 2003

DIVISION OF WATER QUALITY
STATE WATER RESOURCES CONTROL BOARD
CALIFORNIA ENVIRONMENTAL PROTECTION AGENCY

CSW001



Terry Tamminen
Secretary for
Environmental
Protection

State Water Resources Control Board

Division of Water Quality

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Arnold Schwarzenegger
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December 15, 2003

Professor Donald Weston
3060 Valley Life Sciences Bldg.
University of California
Berkeley, CA 94720-7360

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Cal/EPA:

There is a parking garage across the street from the Joe Serna, Jr. Cal/EPA Building with entrances on 10th and 11th Streets between "T" and "J" Streets, and metered parking spaces are in the vicinity of the building. Enclosed is a map, or see our website at <http://www.calepa.ca.gov/EPABldg/location.htm>. The facilities are accessible to persons with disabilities. Individuals who require special accommodations are requested to contact Adrian Perez at (916) 341-5880 at least five working days prior to the public hearing date. Persons with hearing or speech impairments can contact us by using the California Relay Service Telecommunications Device for the Deaf (TDD). TDD is reachable only from telephones equipped with a TDD Device. HEARING IMPAIRED RELAY SERVICE: TDD to voice 1-800-735-2929, voice to TDD 1-800-735-2922.

All visitors are required to sign in and receive a badge prior to attending the hearing. The Visitor and Environmental Services Center is located just inside and to the left of the Cal/EPA Building's public entrance. Valid picture identification may be required, so please allow up to 15 minutes.

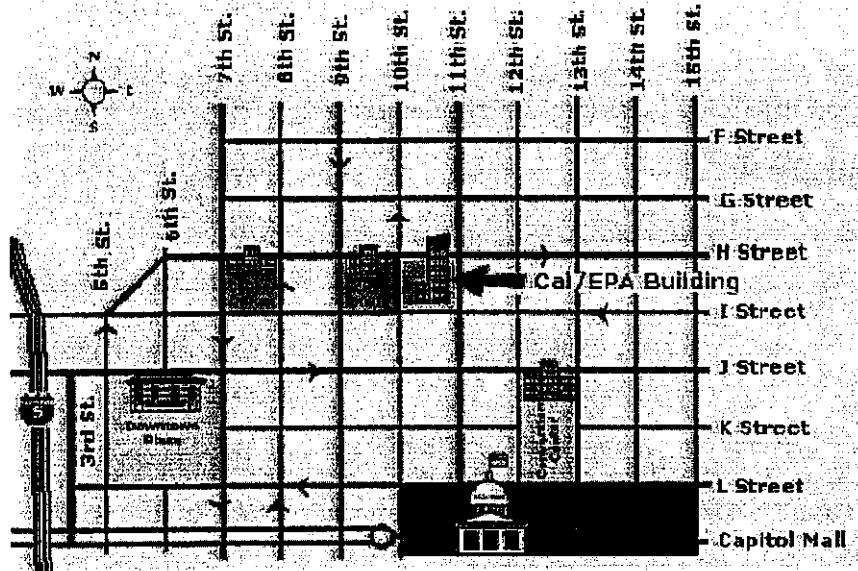
Torrance Cultural Arts Center:

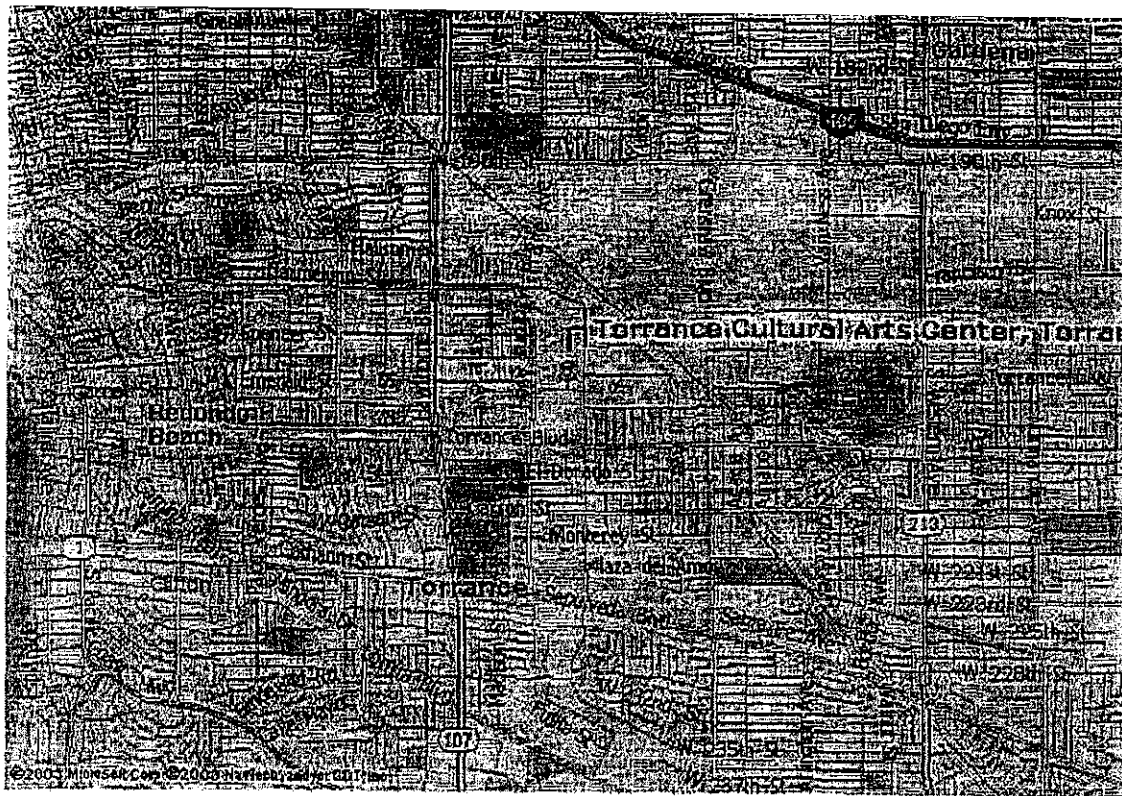
There is public parking available at the Torrance Cultural Arts Center. The public hearing will be held at the Community Meeting Hall building within the Torrance Cultural Arts Center complex. Enclosed is a map, or see their website at <http://www.tcac.torrcnet.com/directions.htm>. The Community Meeting Hall is located to your left in the large multi-building complex once you have entered the parking lot.


Debbie Irvin
Clerk to the Board

Date: December 2, 2003

Enclosures (3)





From Downtown Los Angeles:

Take the 110 Fwy South to the 405 Fwy North and exit at Crenshaw Blvd. From the off ramp, turn left onto 182nd St., then make a left onto Crenshaw Blvd. Travel south on Crenshaw to Torrance Blvd. Turn right onto Torrance Blvd. and travel west to Madrona Ave. Turn right onto Madrona Ave. and turn into the first driveway on the right hand side. The Torrance Cultural Arts Center is the large multi-building complex to your left once you have entered the parking lot.

From Los Angeles Int' Airport (LAX):

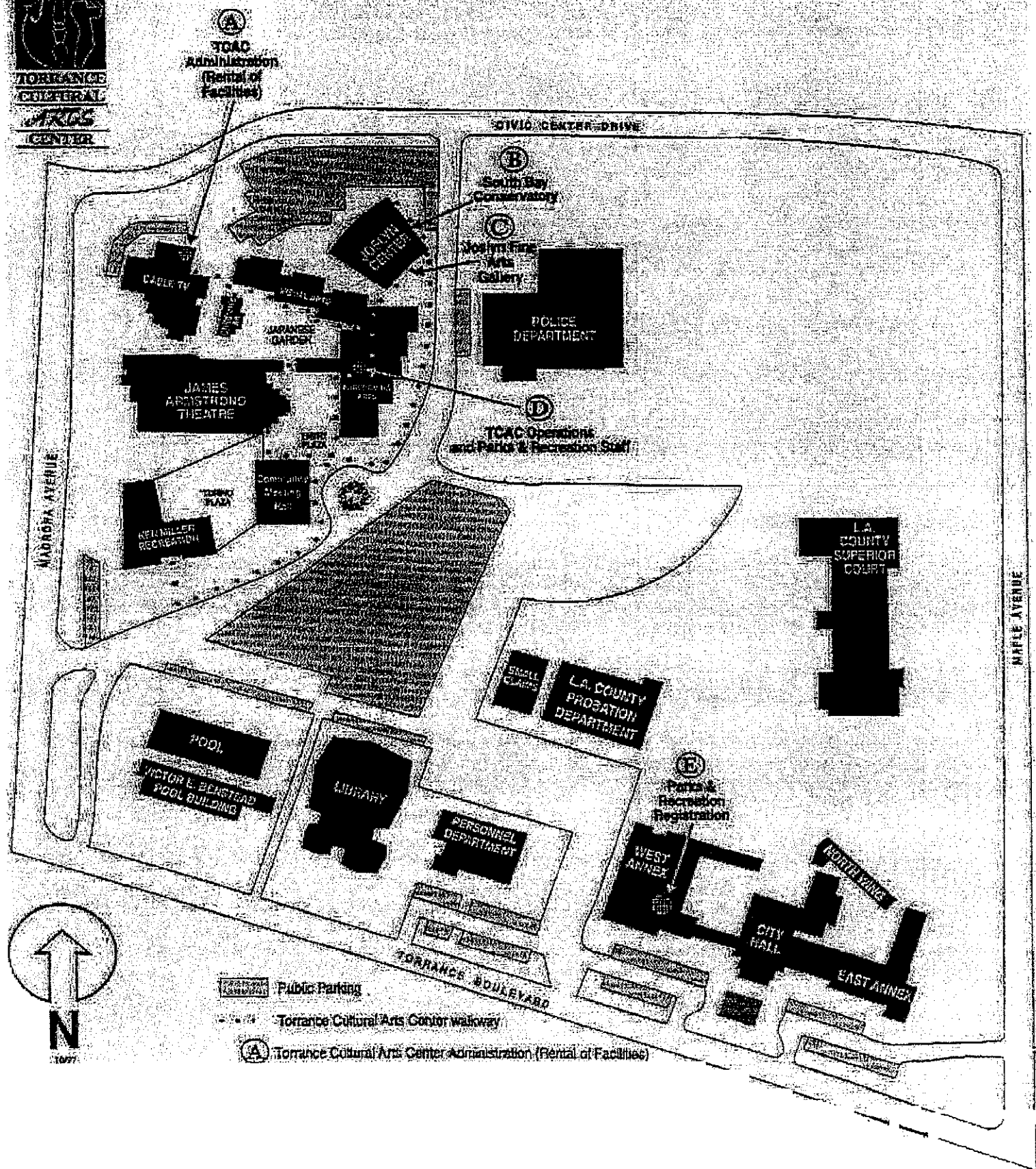
Take the 105 East to the 405 South and exit at Crenshaw Blvd. From the off ramp, turn right onto Crenshaw Blvd and travel south to Torrance Blvd. Turn right onto Torrance Blvd. and travel west to Madrona Ave. Turn right onto Madrona Ave. and turn into the first driveway on the right hand side. The Torrance Cultural Arts Center is the large multi-building complex to your left once you have entered the parking lot.




From San Diego:

Take the 5 North (turns into the 405 North) and exit at Crenshaw Blvd. From the off ramp, turn left onto 182nd St., then make a left onto Crenshaw Blvd. Travel south on Crenshaw to Torrance Blvd. Turn right onto Torrance Blvd. and travel west to Madrona Ave. Turn right onto Madrona Ave. and turn into the first driveway on the right hand side. The Torrance Cultural Arts Center is the large multi-building complex to your left once you have entered the parking lot.

Torrance Cultural Arts Center

**TORRANCE
CULTURAL
ARTS
CENTER**



-  Public Parking
-  Torrance Cultural Arts Center Walkway
-  Torrance Cultural Arts Center Administration (Rental of Facilities)

Draft

Functional Equivalent Document

Water Quality Control Policy for Developing
California's Clean Water Act Section 303(d) List



December 2003

DIVISION OF WATER QUALITY
STATE WATER RESOURCES CONTROL BOARD

Draft

Functional Equivalent Document

Appendix
Draft Water Quality Control Policy



December 2003

DIVISION OF WATER QUALITY
STATE WATER RESOURCES CONTROL BOARD
CALIFORNIA ENVIRONMENTAL PROTECTION AGENCY

COV0.17



Terry Tamminen
Secretary for
Environmental
Protection

State Water Resources Control Board

Division of Water Quality

1001 I Street • Sacramento, California 95814 • (916) 341-5455
Mailing Address: P.O. Box 100 • Sacramento, California • 95812-0100
FAX (916) 341-5463 • Internet Address: <http://www.swrcb.ca.gov>



Arnold Schwarzenegger
Governor

December 23, 2003

Professor John Rice
Department of Statistics
367 Evans Hall #3860
University of California, Berkeley
Berkeley, CA 94720-3860

Dear Professor Rice:

PEER REVIEW OF DRAFT WATER QUALITY CONTROL POLICY FOR DEVELOPING CALIFORNIA'S CLEAN WATER ACT SECTION 303(d) LIST AND FUNCTIONAL EQUIVALENT DOCUMENT

Thank you for agreeing to review the proposed Water Quality Control Policy and Functional Equivalent Document (FED). This draft is to be reviewed in conformance with California Health and Safety Code section 57004 which requires "external scientific peer review of the scientific basis for any rule proposed by any board, department or office within the agency."

As a peer reviewer, you will evaluate the scientific bases for the proposed Policy and prepare a written report that states the findings of your evaluation. If you find that portions of the proposed Policy are not based on sound science, the report should include the rationale for those findings.

The scientific bases of the proposed Policy are presented in the Issue Analysis portion of the document. I am also enclosing a copy of the Public Hearing Notice associated with the proposed Policy adoption. The Public Hearing Notice provides some background on the CWA section 303(d) listing process as well as a brief summary of the goals and key issues contained within the proposed Policy. We request that any comments generated from your review of the draft FED and the draft Policy be submitted to us on or before January 28, 2004. In the interim, if you have any questions or need additional information, I can be reached at (916) 341-5562. In my absence, you may also contact Laura Sharpe at (916) 341-5596.

Sincerely,

Fred LaCaro
TMDL Listing Unit
Division of Water Quality

Enclosures (3)

cc: Craig J. Wilson
Division of Water Quality
State Water Resources Control Board

Draft

Functional Equivalent Document

Appendix
Draft Water Quality Control Policy



December 2003

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STATE WATER RESOURCES CONTROL BOARD
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DIVISION OF WATER QUALITY
STATE WATER RESOURCES CONTROL BOARD