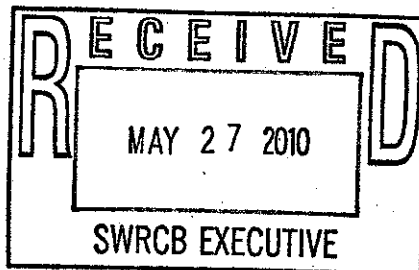




UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION IX
75 Hawthorne Street
San Francisco, CA 94105

May 27, 2010

Charles R. Hoppin, Chair
State Water Resources Control Board
P.O. Box 100
Sacramento, CA 95812-0100



Dear Chairman Hoppin:

The U.S. Environmental Protection Agency (EPA) supports the Santa Ana Regional Water Quality Control Board's proposed Basin Plan amendment to incorporate Organochlorine Compound (OC) Total Maximum Daily Loads (TMDLs) for San Diego Creek and Newport Bay. We support the current version of these TMDLs, based on the technical approach and the adaptive implementation plan to reduce OC pollutant loadings into San Diego Creek and Newport Bay.

We request one modification the State Board resolution to clarify the project description of these State TMDLs. The following sentence should be added to the State Board resolution (perhaps in Whereas #1): "These Santa Ana Board OC TMDLs supercede the existing OC TMDLs for these waters established by USEPA in 2002." The goal is clarify that the Regional Board OC TMDLs adopted under Resolution No R8-2007-0024 do not supercede any other USEPA toxics TMDLs. More specifically, USEPA established TMDLs still exist for metals in these waters, including cadmium, copper, lead, zinc, selenium, mercury and chromium.

We urge the State Board to promptly approve these OC TMDLs for San Diego Creek and Newport Bay. If you wish to discuss this matter further, please call me at (415) 972-3448.

Sincerely yours,

A handwritten signature in black ink, appearing to read "Peter Kozelka".

Peter Kozelka
TMDL Coordinator, Water Division

cc: Gerard Thibeault, SA RWQCB