

Summary of Comments Relevant to Parameter Assessment Team Policy Development

This summary of comments has been created to assist CALFED staff with development of the "White Paper" which will outline the role and function of the Parameter Assessment Team. It is based on a comprehensive review of approximately 500 written comments in the CALFED Water Quality Program's comment/response summary database. Out of the 500 comments reviewed, 9 comment letters which addressed PAT policy issues were extracted and summarized. The 9 comments were from following stakeholders:

- Jeanette Thomas, *Stockton East Water District*, November 26, 1996
- Walter Ward, *Modesto Irrigation District*, November 26, 1996
- Bryan Stuart, *Dow Elanco*, January 10, 1997
- *North Bay Contractors*, February 7, 1997
- Bruce Thompson, *San Francisco Estuary Institute*, April 17, 1997
- G. Fred Lee, *G. Fred Lee & Associates*, November 20, 1997 and January 27, 1998
- Thomas Grovhoug, *Larry Walker Associates*, January 27, 1998
- J.P. Cativiela, *California Rice Industry Association*, January 27, 1998

For convenience, the summary does not contain verbatim comments, rather, it captures the essence of comments related to PAT policy issues. Attached to this document are the original comments for the reader's reference. The summary is separated into two main topics: (1) Process for Identifying and Reviewing Parameters of Concern, and (2) Process for Developing Water Quality Targets.

Process for Identifying and Reviewing Parameters of Concern

Significance of a Parameter of Concern

- CALFED needs to address the questions of (1) the significance of listing a pollutant as a Parameter of Concern, (2) the use of target levels in water quality management activities, (3) the ability to delist a Parameter of Concern. (Thomas Grovhoug, *Larry Walker Associates*, January 27, 1998)

Process for Identifying a Parameter of Concern

- The process of listing parameters of concern needs to be defined. (Jean-Pierre Cativiela, *California Rice Industry Association*, January 27, 1998).
- The same process should be used for all parameters of concern when considering addition or deletion. (Jeanette Thomas, *Stockton East Water District*, November 26, 1996).

- All the parameters of concern should be subjected to the same degree of review. The Request for Addition or Deletion to the CALFED Water Quality Parameters of Concern List should not be restricted to those parameters of concern that are to be added or deleted from the existing list. There are a number of parameters of concern currently on the CALFED Parameters of Concern list which would not stand up to the scrutiny of the review as set forth in this Request Form. (G. Fred Lee, *G. Fred Lee & Associates*, January 27, 1998).
- The draft parameters of concern do not meet the appropriate existing standards of process or science. CALFED should adopt the comprehensive process outlined in detail in the Management Agency Agreement between the DPR and the SWRCB. This process is now in place to identify currently used pesticides associated with the surface water concerns and establish numeric targets, including water quality objectives, if appropriate. (Bryan Stuart, *DowElanco*, January 10, 1997, *North Bay Contractors*, February 7, 1997).
- When discussing additional parameters of concern, the PAT should consider the following: (1) there is an appropriate basis in California regulations (303(d) list or Basin Plans) for the parameter of concern to be added, and (2) adding the parameter of concern will lead to the realization of a CALFED goal. Any listing of a parameter of concern which will not lead to the realization of a CALFED goal should be deleted. (Jean-Pierre Cativiela, *California Rice Industry Association*, January 27, 1998).
- The Request Form for Addition or Deletion asks whether an agency or the scientific community generally recognizes a problem associated with a parameter of concern. Whether or not an agency or the scientific community recognize a problem should not be an important issue in identifying parameters of concern. (G. Fred Lee, *G. Fred Lee & Associates*, January 27, 1998).
- Consideration to be included in identifying a parameter of concern are whether the parameter of concern accumulates within aquatic organism tissue (bioaccumulation) to levels that cause the organisms to be considered hazardous to higher trophic level organisms including man's use of the organism as food," and whether or not there is impairment of the aesthetic quality of resources, such as tastes and odors. (G. Fred Lee, *G. Fred Lee & Associates*, January 27, 1998).

Process for Review of Parameters of Concern

- The parameters of concern should be examined in 2 groups: those which are included in the Basin Plans and those which are not included in the Basin Plans. Consensus needs to be reached regarding parameters which are not included in the Basin Plans. Also, areas which have not yet been addressed need to be identified (such as salinity for the San Joaquin River). (Jeanette Thomas, *Stockton East Water District*, November 26, 1996).
- CALFED staff should develop a standardized approach for reviewing the parameters of concern. (Walter Ward, *Modesto Irrigation District*, November 26, 1996).

- To maintain consistency, a process should be developed to ensure that as the Basin Plan and 303(d) listings are updated, corresponding CALFED listings are reviewed and updated. (Jean-Pierre Cativiela, *California Rice Industry Association*, January 27, 1998).

Process for Developing Water Quality Targets

Future Application of Water Quality Targets

- When developing targets for parameters of concern for which there are no specific regulatory values, there is a need for a better understanding of the future use of these numerical targets prior to accepting them for inclusion in the CALFED Water Quality Program. (Jeanette Thomas, *Stockton East Water District*, November 26, 1996).
- CALFED staff need to provide the Parameter Assessment Team and Water Quality Technical Group with a clear statement of how the determined target values will be applied in the future. (G. Fred Lee, *G. Fred Lee & Associates*, January 27, 1998).

Identifying Water Quality Targets

- Numeric targets should not be identified at this point in the CALFED planning process. (Walter Ward, *Modesto Irrigation District*, November 26, 1996).
- The adoption of "target levels" for parameters of concern, which go above and beyond the list of existing water quality standards is a major concern. Identified target values will be presumed to hold special significance, despite the informal nature of the current procedures for adoption of these "target levels" by CALFED. It should be anticipated that these target levels would be used in the future either as the equivalent of water quality numeric standards or as the basis for interpretation of narrative water quality standards. These concerns are particularly applicable to the sediment and tissue-based target levels, since no formal sediment or tissue-based standards exist in California. Target levels should be restricted to existing water quality standards. (Thomas Grovhoug, *Larry Walker Associates*, January 27, 1998)
- If CALFED goes beyond the use of existing standards in setting its "target levels," the process for identifying the target levels must be upgraded significantly to include augmentation and formalization of the PAT, additional scientific documentation to support proposed target levels, scientific peer review, and expanded public participation. The current PAT structure is not adequate for handling the equivalent of a standard setting process. (Thomas Grovhoug, *Larry Walker Associates*, January 27, 1998)
- Any identified numeric goal or objective should be based on a federal or State of California regulation applicable to the region in question (Thomas Grovhoug, *Larry Walker Associates*, January 27, 1998).

Criteria for Establishing Water Quality Targets

- The criteria used to develop existing water quality targets need to receive a comprehensive review. Water quality targets which are not technically valid, such as the National Academy of Science guidelines for tissue concentrations, and the Long and Morgan sediment quality guidelines have been included in the Water Quality Program. (G. Fred Lee, *G. Fred Lee & Associates*, January 27, 1998).
- There are no regulatory sediment or tissue concentration criteria. However, several sediment quality guidelines, such as NOAA's Effects Range Concentration (ERL, ERM), apparent effects thresholds (AET), or EPA's draft sediment quality criteria do exist and could be used for sediment comparisons. For tissues, the State Board uses Median Tissue Residue Levels (MTRLs), but USFDA guidelines, EPA screening values, Median International Standards, as well as existing literature values for tissue levels that cause effects could be used. (Bruce Thompson, *San Francisco Estuary Institute*, April 17, 1997).
- The use of Long and Morgan sediment quality guidelines for CALFED water quality targets without proper public peer review is inappropriate.. (G. Fred Lee, *G. Fred Lee & Associates*, January 27, 1998).
- The Long and Morgan, MacDonald and other co-occurrence-based sediment "quality" guidelines are unreliable as a means of properly designating sediment contaminated areas that need attention. (G. Fred Lee, *G. Fred Lee & Associates*, November 20, 1997).