



April 24, 2014

North Coast Regional Water Quality Control Board  
5550 Skylane Blvd. Suite A  
Santa Rosa, CA 95403

Attn: Ms. Alydda Mangelsdorf

Transmitted via e-mail to: [alydda.mangelsdorf@waterboards.ca.gov](mailto:alydda.mangelsdorf@waterboards.ca.gov)

**MEMBER AGENCIES**

- City of Cloverdale
- City of Cotati
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- City of Sebastopol
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- County of Sonoma
- Sonoma County Water Agency
- Town of Windsor

**VIRGINIA PORTER**  
Executive Director

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Ukiah, CA 95482  
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[www.rrwatershed.org](http://www.rrwatershed.org)

**SUBJECT: REQUEST FOR PRIORITIZATION – MIXING ZONE CREDITS POLICY**

Dear Ms. Alydda Mangelsdorf,

Thank you for the opportunity to comment on the Triennial Review of the Basin Plan for the North Coast Region. The Russian River Watershed Association formally requests that the Board prioritize the development of a policy for Mixing Zone Credits for Human Health Constituents in this triennial review.

While the State has developed a policy for Mixing Zone Credits for constituents regulated under the California Toxics Rule (CTR), as the Board is aware there is a gap in the Basin Plan for credits for drinking water constituents. The impact of these constituents is more benign than CTR constituents and regulated entities in the North Coast Region have been working with the Regional Board for nearly ten years to address this gap and provide a protective and economically viable compliance path for a number of inland dischargers.

We believe that the Board and the regulated community have come a long way in laying the groundwork for a Mixing Zone Credits Policy. Finalizing the work as part of this triennial review cycle presents an important opportunity to provide focused regulatory relief that will minimize environmental impacts and allow the regulated community to concentrate its valuable resources on cost-effective compliance strategies.

In 2006, the regulated community completed a document titled *Regulatory Mixing Zone Approaches for the North Coast Region*. This document provided technical guidance for the development of mixing zone studies. This document was developed in consultation with the Regional Board and peer-reviewed before completion. It documented as many as 26 entities that could benefit from mixing zone credits and provides a solid starting point for developing a legally and scientifically-defensible policy. In 2011, the regulated community completed a document titled *Evaluation of a Mixing Zone Policy for Human Health Related Constituents* that specifically reviewed seven alternative Mixing Zone Policy approaches and included an environmental analysis and the economic justification for such a policy. This document was also developed in consultation with the Regional Board and provides a strong basis for completing the proposed policy within this triennial review cycle.

The economic analysis focused on six small treatment facilities with average dry weather flows of under 3 million gallons per day. It described the potential compliance costs if mixing zone credits, specifically for nitrate, were not implemented. In 2011, these capital costs were estimated to be over \$3 million per million gallons treated or nearly \$20 million total. Providing regulatory relief in an environmentally sound manner is an important strategy for supporting small utilities, which already have rates that burden disadvantaged customers.

As the Board considers its work plan for the triennial review, we encourage you to prioritize completion of a policy for Mixing Zone Credits for Human Health Constituents. By capitalizing on the good work done to date, the Board, its staff and the regulated community can provide an important and economically viable compliance pathway for a number of utilities, including small utilities in the region.

Sincerely,

Mark Landman, Chair, RRWA Board of Directors

cc: Russian River Watershed Association Board of Directors  
Tim Erikson, City of Ukiah Director of Public Works