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November 4, 2008

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

Subject: Proposed Basin Plan Amendments for Temperature and Dissolved Oxygen

Ms. Mangelsdorf:

The Russian River Watershed Association (RRWA) appreciates the opportunity to comment on the proposed Basin Plan Amendments for temperature and dissolved oxygen. The RRWA is an association of local public agencies in the Russian River Watershed that have come together to coordinate regional programs for clean water, fisheries restoration, and watershed enhancement. We represent agencies that manage both stormwater and treated wastewater within the Russian River Basin, and are directly affected by the proposed Basin Plan Amendments for temperature and dissolved oxygen.

The RRWA is committed to achieving a healthier watershed through implementing effective, regional programs. We agree with the overall intent of the Basin Plan Water Quality Objectives and support projects that create healthy conditions for fish and other aquatic species within the Russian River and its tributaries; however, we are not supportive of setting standards within the Basin Plan which will require construction projects that create undue hardship on our members.

The RRWA submits the following comments to the Proposed Basin Plan Amendment for Temperature and Dissolved Oxygen:

1. Impacts to Dischargers (wastewater and stormwater)

Some dischargers may have to construct additional facilities to meet the dissolved oxygen limits that may result from the proposed revisions to the Basin Plan. Construction of additional treatment facilities may result in physical environmental impacts that should be considered as indirect effects that are caused by the proposed amendment. Under CEQA these indirect impacts must be considered.

The FED should address the potential economic impacts to dischargers, who may be required to construct additional facilities to meet the dissolved oxygen limits that may result from the proposed revisions to the Basin Plan. The cost associated with dischargers providing additional treatment and/or storage facilities should be considered together with the associated economic benefit. A cost-benefit analysis should be performed and included in this analysis.

2. Temperature and Percent Saturation Limits

The proposed amendment describes the potential rise in temperature that may occur in creeks due to climate change. Because dissolved oxygen concentration is inversely proportional to water temperature, a percent dissolved oxygen saturation limit would provide flexibility to account for changes in water body temperature due to climate change. The proposed amendment includes a percent saturation objective in addition to a minimum DO objective for COLD of 6 mg/L. This minimum limit does not provide flexibility to account for water body temperature rise, and would position the RWQCB as having to regulate climate change causes that result in non-attainment of the 6 mg/L objective. If climate change causes the water body temperatures to increase, the dissolved oxygen limit may be unattainable in certain bodies of water. This could impact the potential limits applied to dischargers thereby increasing the size and cost of the facilities that they need to construct.

3. Establishing Natural Conditions of Creeks and Streams

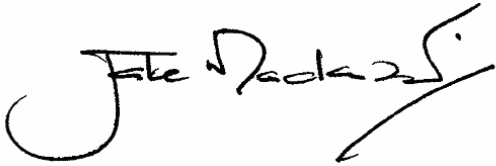
Establishment of natural conditions of creeks and streams should include analysis of historic data. Water quality models can be used when data is not available or is not sufficient to establish natural conditions. The proposed amendment proposes a background dissolved oxygen objective of 85% saturation based on an estimate of the natural temperature of the water body, when the water body is unable to meet the life cycle DO objective due to natural conditions. If a water body is unable to meet the life cycle DO objective due to natural conditions, the dissolved oxygen objective for such water bodies should be adjusted to account for what the natural % saturation of the water body is. The natural % saturation should also be adjusted to account for any natural conditions such as natural variability, and the water body flow/velocity/depth, as well as shade coverage/sunlight. The natural % saturation should be adjusted to account for conditions specific to each water body to ensure that the proposed limits are attainable and that dischargers are not overly burdened with new potential limits that may result from the proposed revisions to the Basin Plan.

4. Water Bodies for Salmonid Spawning and Egg Incubation

The SPWN DO objectives should apply only to waters *where* the salmonid spawning, egg incubation and larval development occur and only *when* these life stages occur. The Regional Board should identify the time of year for which the proposed SPWN DO objectives apply and the specific water bodies *where* salmonid spawning, egg incubation and larval development currently occur such that the proposed DO objectives apply. If the proposed limits are not only applied to these specific water bodies, the economic impact to dischargers could be significant with minimal environmental benefit.

We appreciate your consideration of these comments.

Sincerely,

A handwritten signature in black ink, appearing to read "Jake Mackenzie". The signature is stylized with a large, looping initial "J" and a long, sweeping underline that extends to the right.

Jake Mackenzie, Chair, RRWA Board of Directors
Russian River Watershed Association, www.rrwatershed.org

cc: RRWA Board of Directors