

**CENTRAL VALLEY FLOOD PROTECTION BOARD**

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April 9, 2008

Mr. Patrick Morris  
Central Valley Regional Water Quality Control Board  
11020 Sun Center Drive, #200  
Rancho Cordova, California 95670

Dear Mr. Morris:

Thank you for the opportunity to review the Central Valley Regional Water Quality Control Board's (Water Board) draft Amendments to the Water Quality Control Plan for the Sacramento and San Joaquin River Basins for the Control of Methylmercury and Total Mercury in the Sacramento-San Joaquin Delta Estuary. While the Central Valley Flood Protection Board (Board) supports the Water Board's plan to reduce mercury pollution in the Delta, the Board is concerned with the basin plan amendments' proposed actions and requirements with regard to the flood system management in the Yolo Bypass and Cache Creek Settling Basin.

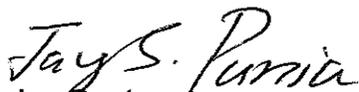
The Board believes that focusing control actions and cleanup of mercury-laden sediment in the Yolo Bypass and Cache Creek Settling Basin before controlling the upstream watershed sources of mercury may be premature. Without source control, mercury-laden sediments will continue to flow into the Bypass and Settling Basin making mercury-reduction efforts endless tasks with no guaranty of success. The Board therefore suggests that the Water Board completes its planned study to identify and evaluate potential mercury reduction projects in the upstream watersheds, particularly the Cache Creek and Putah Creek watersheds, before any characterization and control studies are initiated for the Bypass and Settling Basin. The Board also suggests that any control and cleanup actions be done only after projects to control mercury migration from these upstream sources are identified and implementation assured.

This letter also serves to support the Department of Water Resources comments to the draft basin plan amendment, in particular, to the comments on the flood system management improvement proposals for the Yolo Bypass and the Cache Creek Settling Basin.

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The Board would be glad to discuss our comments with you at your convenience. If you have any questions, or wish to arrange a meeting with the Board, please call Mr. Dan S. Fua, Supervising Engineer, at (916) 574-0698.

Sincerely,

  
Jay Punia,  
Executive Officer

cc: Mr. George Qualley, Chief, Division of Flood Management,  
Ms. Marianne Kirkland, Division of Environmental Services, DWR