



United States Department of the Interior



FISH AND WILDLIFE SERVICE

Bay-Delta Fish and Wildlife Office
650 Capitol Mall, Suite 5-100
Sacramento, California 95814

In reply refer to:

Memorandum

To: Katherine Hart, Chair
Central Valley Regional Water Quality Control Board
11020 Sun Center Drive, #200
Rancho Cordova, California 95670

From: Field Supervisor, Bay-Delta Fish and Wildlife Service
Sacramento, California

Subject: Basin Plan Amendment for the Control of Methylmercury and Total Mercury in the Sacramento-San Joaquin Delta Estuary

Dear Ms. Hart,

Thank you for the opportunity to comment on the *Draft Basin Plan Amendment for the Control of Methylmercury and Total Mercury in the Sacramento-San Joaquin Delta Estuary*, dated February 2010. The U.S. Fish and Wildlife Service (Service) recognizes the high quality of work performed by the Central Valley Regional Water Quality Control Board (Regional Board) staff over the past several years on the difficult task of developing a Basin Plan Amendment (BPA) and methylmercury (MeHg) total maximum daily load (TMDL) limits for the Sacramento/San Joaquin Delta (Delta). The Service appreciates the additional time and effort by the Regional Board to use a facilitated stakeholder process with dischargers and other affected parties to work on the complicated implementation issues associated with this TMDL and believes the draft BPA provides a solid framework for moving forward in a focused and organized manner.

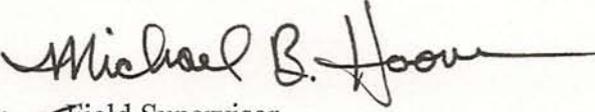
The Service has worked with the U.S. Environmental Protection Agency and Regional Board staff on the methodology to develop science-based methylmercury fish tissue objectives. We support the Regional Board's choice to base the TMDL on MeHg, as opposed to elemental mercury, since MeHg is most closely correlated with bioaccumulation in fish and wildlife. We believe the proposed MeHg fish tissue objectives are protective of piscivorous avian species in

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the Delta and could, dependent on implementation, improve conditions for other fish and wildlife species in other trophic levels. We recommend reevaluation of the fish tissue objectives at the end of Phase 1 as new data become available. Care should be taken so that implementation of the resulting MeHg TMDL is not harmful to the quality, quantity and diversity of wetland and floodplain habitats in the Central Valley.

Water quality in the Central Valley has been impacted by numerous activities over the last one hundred and fifty years, including hydraulic mining, agricultural practices, municipal and industrial effluent, surface runoff, construction of water-related infrastructure and water operations. During this same period, over 90-percent of the historic wetland and floodplain habitats were removed or drastically altered, adversely affecting endemic fish and wildlife species. Intuitively, effectively addressing Central Valley water quality concerns in a very heavily impacted ecosystem will require numerous efforts over another lengthy period. We believe successful reduction in concentrations of mercury in the Delta will require numerous years of study, planning and implementation activities.

In support of the proposed MeHg TMDL the Service has partnered with other Delta non-point source dischargers to begin the coordination process necessary to implement Phase 1. We will continue to work with Regional Board staff to appropriately evaluate and implement a Delta methylmercury TMDL and develop future TMDLs. Please contact Mr. Tom Maurer at (916) 414-6594 or Mr. Michael Hoover (916) 930-5639 if you or your staff have questions regarding our concerns or comments.


Field Supervisor
Bay-Delta Fish and Wildlife Office
Sacramento, CA

Cc:

Diane Fleck, U.S. Environmental Protection Agency, San Francisco, California
Marge Kolar, U.S. Fish and Wildlife Service, Region 8, Sacramento, California
Susan Moore, U.S. Fish and Wildlife Service, Sacramento, California

