



County of Yolo

BOARD OF SUPERVISORS

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April 24, 2008

Karl Longley, Chair, and Members
Central Valley Regional Water Quality Control Board
11020 Sun Center Drive #200
Rancho Cordova, CA 95670

Re: Comments on February 2008 draft “Amendments to The Water Quality Control Plan for the Sacramento River and San Joaquin River Basins for the control of Methylmercury and Total Mercury in the Sacramento-San Joaquin Delta Estuary”

Dear Chair Longley and Members of the Board:

Thank you for providing the opportunity to review the draft amendments and associated documents. Yolo County supports the effort to address the problem of mercury and methylmercury in the Delta. The County is concerned, however, that the documents do not reflect a sufficiently comprehensive view. We offer these comments for your further consideration:

- The sources of total mercury are primarily the legacy of historic mining and abandoned mines should be a primary focus of control;
- There should be a funding source that recognizes methylmercury is an environmental legacy of state and federal concern. Failure to take this approach creates an inappropriate financial burden on local project proponents for this legacy issue.
- The Board’s current approach fails to consider the impacts of these decisions on the other activities in the Delta and Yolo Bypass offering great public benefit, such as habitat creation and flood management – the requirements will at minimum significantly increase the cost of public benefit projects and the time required to implement them, and could prevent them altogether;
- The approach does not appear to recognize the many ongoing state planning processes for the Delta.
- The Board’s approach does not appear to be consistent with provisions in the Cache Creek TMDL, such as the language giving the Executive Officer the authority to prioritize studies, or to set or waive mitigation requirements for habitat restoration projects.
- The approach does not appear to be coordinated with the efforts of our state and federal legislators. Assemblywoman Wolk recently held a hearing on mercury issues and federal representatives are considering a request to appropriate \$2.5 million to the Army Corps of

Engineers Remediation of Abandoned Mines program for clean up of mines in the Sacramento River watershed. Senator Dianne Feinstein also has authored a bill related to abandoned mines.

Yolo County respectfully requests that the Board extend the time to complete the basin plan amendment to allow for further examination of these issues, and further collaboration with the stakeholders in the Delta and in those areas upstream that may be affected by the amendments. Yolo County will propose specific changes to the basin plan if granted additional time to review the proposed amendment.

Please contact Julia McIver of our staff at 530.406.4889 if you have questions. Thank you for your consideration.

Sincerely,



Duane Chamberlain, Chair
Yolo County Board of Supervisors

cc: Maria Wong, Yolo County Natural Heritage Program
Linda Fiack, Delta Protection Commission
Delta Mercury Collaborative
Assemblymember Lois Wolk
Assemblymember Doug La Malfa
Senator Mike Machado
Congressman Mike Thompson
Elly Fairclough, Office of Congressman Mike Thompson