
State Water Resources Control Board

TO: Mark Stopher, Environmental Program Manager
DEPARTMENT OF FISH AND GAME

FROM: 
Thomas Howard, Executive Director
STATE WATER RESOURCES CONTROL BOARD

DATE: MAR - 5 2012

SUBJECT: STATE WATER RESOURCES CONTROL BOARD AND REGIONAL
WATER QUALITY CONTROL BOARD COMMENTS ON THE
DEPARTMENT OF FISH AND GAME'S REVISED REGULATIONS

Thank you for the opportunity to comment on the Department of Fish and Game's (DFG's) proposed revisions to suction dredging regulations, released on February 17, 2012. This memorandum contains our comments, and also attaches comments from staff of the Central Valley, Los Angeles, and North Coast Regional Water Quality Control Boards.

Based on water quality concerns, we continue to support the No Program Alternative, as stated in our comment memorandum dated May 10, 2011. However, even though DFG has not selected this alternative, we would still like to commend DFG for certain proposed revisions to the regulations. We appreciate the regulation changes that DFG made in response to many of our previous comments. In addition, DFG currently proposes both to reduce the number of available permits and hours of operation, as well as to increase the spacing between dredges. All of these proposed revisions would reduce the detrimental effects caused by this activity on the environment, including water quality. In addition, we appreciate the proposed addition of the fuel containment requirements in revised subsections 228(k)(4) and 228(l)(10), which are intended to prevent fuel pollution of water quality from suction dredging. However, we do not agree with the proposed deletion of subsection 228(c)(2), which would have required dredgers to identify in advance the locations they planned to dredge. Deletion of this requirement would make enforcement more difficult and would also reduce the potential for coordination with anticipated future Water Board requirements.

Given the provisions of AB 120 (Stats. 2011, ch. 133), it is our understanding that the moratorium will likely continue until June 30, 2016. As this date approaches, we intend to revisit the issue of how the Water Boards will address this activity's effects on water quality. We are pleased that DFG will have updated its regulations long before the moratorium ends. We look forward to continued cooperation with you in the future as that date approaches.

If you have any questions, please contact either me at (916) 341-5615, or Elizabeth Haven at (916) 341-5457.

Attachments

Central Valley Regional Water Quality Control Board Suction Dredge
Comments and Attachment

Los Angeles Regional Water Quality Control Board Suction Dredge Comments

North Coast Regional Water Quality Control Board Suction Dredge Comments

Cc: Sam Unger, Executive Officer
Los Angeles Regional Water Quality Control Board

Pamela Creedon, Executive Officer
Central Valley Regional Water Quality Control Board

Catherine Kuhlman, Executive Officer
North Coast Regional Water Quality Control Board