

December 12, 2014

North Coast Regional Water Quality Control Board

5550 Skylane Blvd. Suite A

Santa Rosa, CA 95403

Attn: Ms. Alydda Mangelsdorf

N C R W Q C B

DEC 16 2014



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<input type="checkbox"/> AEO	<input type="checkbox"/> Timber	<input type="checkbox"/> Legal
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Date		

Dear Ms. Mangelsdorf,

Thank you for the opportunity to comment on the Triennial Review of the Basin Plan for the North Coast Region. The City of Ukiah formally requests that the Board prioritize the development of a policy for Mixing Zone Credits for Human Health Constituents in this triennial review. As you know, the City of Ukiah will consider staff cost sharing solution if this project does not make the short list.

While the State has developed a policy for Mixing Zone Credits for constituents regulated under the California Toxics Rule, as the Board is aware there is a gap in the Basin Plan for credits for drinking water constituents. The impact of these constituents is more benign than CTR constituents and the City, along with other regulated entities, has been working with the Board for nearly ten years to address this gap and provide a reasonably protective and economically viable compliance path for a number of inland dischargers. For the City, which produces tertiary-treated effluent, during a limited discharge season and with a 100:1 dilution ratio requirement, this economically viable compliance path is very important.

We believe that the Board and the regulated community have come a long way in laying the groundwork for a Mixing Zone Credits Policy. Finalizing the work as part of this triennial review cycle presents an important opportunity to provide focused regulatory relief that will minimize environmental impacts and allow the regulated community to concentrate its limited resources on cost-effective compliance strategies.

In 2006, the regulated community completed a document titled *Regulatory Mixing Zone Approaches for the North Coast Region*. This document provided technical guidance for the development of mixing zone studies. This document was developed in consultation with the regional board and peer-reviewed before completion. It documented as many as 26 entities that could benefit from mixing zone credits and provides a solid starting point for developing a legally and scientifically-defensible policy. In 2011, the regulated community completed a document titled *Evaluation of a Mixing Zone Policy for Human Health Related Constituents* that specifically reviewed seven alternative Mixing Zone Policy approaches and included an environmental analysis and the economic justification for such a policy. This document was also developed in consultation with regional board and provides a strong basis for completing the proposed policy within this triennial review cycle.

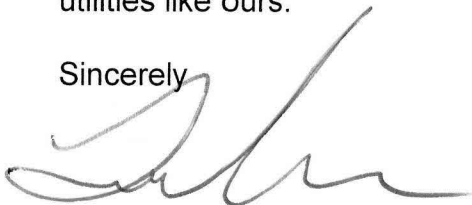
The economic analysis focused on six, small treatment facilities with average dry weather flows of under 3 million gallons per day. It described the potential compliance costs if mixing zone credits, specifically for nitrate, were not implemented. In 2011, these capital costs were estimated to be over \$3 million per million gallons treated or nearly \$20 million total. Providing regulatory relief in order to avoid this level of compliance cost is an important strategy for supporting small utilities, which already have rates that burden disadvantaged customers.

In 2013, as part of its own strategy for nitrate compliance, the City conducted a more in-depth analysis of its own compliance needs utilizing both enhanced monitoring and process modelling tools. The City concluded that the capital cost of complying with its nitrate limit exceed \$12 million (or approximately \$4 million per million gallons treated). This level of expenditure would cause our already high rates to exceed 3% of the Median Household Income.

At the same time, we are working, in partnership with the local agricultural community, to use our recycled water for beneficial irrigation uses. We've secured several grants and hope that our limited local resources can be used to bring this reuse project to reality and reduce the amount of water that is discharged.

As the Board considers its work plan for the triennial review, we encourage you to prioritize completion of a policy for Mixing Zone Credits for Human Health Constituents. By capitalizing on the good work done to date, the Board, its staff and the regulated community can provide an important and economically viable compliance pathway for utilities like ours.

Sincerely

A handwritten signature in dark ink, appearing to read 'Tim Erikson', with a stylized, flowing script.

Tim Erikson PE, Director of Public Works

C: Daria Isupov, Russian River Watershed Association