

SOUTH DELTA WATER AGENCY

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February 28, 2007

Via E-Mail commentletters@waterboards.ca.gov

Ms. Song Her
Clerk of the Board
State Water Resources Control Board
P. O. Box 100
Sacramento, CA 95812-0100



Re: Comments for Scoping of Methylmercury Objectives

Dear Ms. Her:

The following are submitted as the South Delta Water Agency's comments on the CEQA scoping documents for the possible development of Methylmercury Objectives for inland surface waters, enclosed bays, and estuaries.

The CEQA analysis must include a detailed explanation of the development of the Mercury problem in California. That is to say, the mining of gold and of mercury resulted in large quantities of mercury being released into the waterways of the State where they still remain, traveling downstream at relatively slow rates. The entities/persons responsible for these releases are for the most part long gone leaving few if any responsible parties to act to remedy the situation.

Similarly, the methylation of the mercury is generally attributed to natural processes which convert mercury into its more toxic form. The result is that the water users of the San Joaquin and Sacramento systems are faced with the choice of improving water quality degraded by others or not using the waters of the State on which they rely. Neither choice makes regulatory sense.

A better approach is to apply the resources of the State to identify the sources and locations of the mercury and thereafter develop methods by which they can be removed or otherwise made unavailable to the environment, animals and humans. This approach would logically begin at the uppermost ends of the river systems, and begin by preventing additional amounts of mercury from entering the waterways. The current approach by the Central Valley
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Regional Water Quality Control Board began at the end of the system (San Francisco Bay and Delta), setting limits on those with no ability to stop mercury from entering the water they use.

Under the Regional Board's approach a farmer who diverts water (with mercury originating hundreds of miles upstream) and consumes some of that water, cannot discharge the very same water because the concentration of pre-existing mercury or methylmercury will be increased. CEQA and State or Federal water quality policies cannot mandate such an illogical and counter-productive approach.

The South Delta Water Agency requests the scoping process evaluate the methylmercury problem in a more reasoned and productive approach so that the problem may be addressed without the burden of the solution being placed on those who are not a cause.

Please call me if you have any questions or comments.

Very truly yours,

JOHN HERRICK

JH/dd