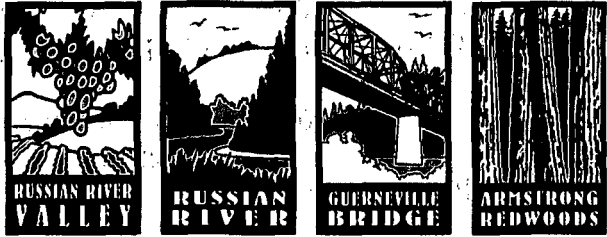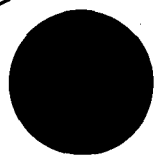**Russian River Chamber of Commerce & Visitor Center**
P.O. Box 331
16209 First Street
Guerneville, CA 95446

November 21, 2005

Craig J. Wilson, Chief
Water Quality Assessment Unit
Division of Water Quality
State Water Resources Control Board
P. O. Box 100
Sacramento, CA 95812-0100

Bruce Gwynne
State Water Quality Control Board
5550 Skylane Boulevard
Santa Rosa, CA 95403

Re: NOTICE OF PUBLIC WORKSHOPS and request for public comment on the
REVISION TO FEDERAL CLEAN WATER ACT SECTION 303(d) LIST OF WATER
QUALITY LIMITED SEGMENTS FOR CALIFORNIA.

Dear Mr. Wilson and Mr. Gwynne:

On behalf of the residents and businesses downstream form the Laguna de Santa Rosa,
the Russian River Chamber of Commerce and Visitor's Center strongly opposes the
delisting of the Laguna for nitrogen and phosphorus. Please place our organization on
your notification list for interested parties, and inform your Board about our
correspondence on this matter. We would also like to receive the notice for the
December 6th meeting as soon as possible.

The Laguna de Santa Rosa (Laguna) **is impaired** by highly elevated nutrient levels.
These nutrients, or biostimulatory substances, include phosphorus and all breakdown
products of organic nitrogen. Impairments occur when "biostimulatory substances
promote aquatic growths in concentrations that cause nuisance or adversely affect
beneficial uses." The concentrations of nitrogen and phosphorus currently measured in
the Laguna far exceed the levels associated with problematic excessive aquatic growths,
and the beneficial uses are obviously impaired.
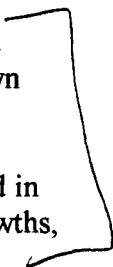
①

The SWRCB's claim that, without numbers, it has no scientifically defensible basis for listing is incorrect. The current narrative standard is competent. While it may be true that the state's screening standards for nutrients need improvement, the absence of numbers is no excuse for delisting the Laguna. The Laguna is so obviously impaired that, no matter what criteria apply, the nutrient levels far exceed the limits necessary to preserve and enhance the Laguna's beneficial uses. The listing of the Laguna for nitrogen and for phosphorus was correct and amply supported in 2002. Delisting now is not justified. Furthermore delisting would violate both state and federal law.

The SWRCB's reliance on "technical comments" supplied by the City of Santa Rosa, a major discharger in the Laguna, to the exclusion of all contrary points of view creates an appearance of undue influence. Moreover, the City's technical comments don't support the conclusion that the Laguna should be delisted for nitrogen and phosphorus. The City's technical comments attest to the presence of excessive nitrogen and excessive phosphorus in the Laguna. In fact, the City's technical comments make a positive case for maintaining nitrogen on the List.

Additionally, we are concerned about the lack of public process at the local level. We understand that the Water Control Policy for Developing California's Clean Water Act Section 303(d) List, Section 6.2, requires, "*At a public hearing, the RWQCB shall consider and approve each proposed list change as documented in water body fact sheet. Advance notice and opportunity for public comment shall be provided.*" We are concerned that the only hearing taking place is in Sacramento. Elimination of Regional Board hearings in Santa Rosa will deprive many Sonoma County residents of the opportunity to give first hand accounts of the many Laguna problems. We ask that you consider asking one of your members to serve as **a hearing officer to hold a hearing in the Sebastopol area.**

The business community of the lower Russian River relies on a clean and healthy river. The river is not only the primary source of our drinking water supply but also the core economic resource that supports the tourism commerce on which our community depends. Visitors from around the world come to enjoy this incredible natural resource, and we oppose an action that might significantly and negatively impact its quality.

Sincerely,

Jim Maresca
Executive Director