



**California Regional Water Quality Control Board
North Coast Region
Bob Anderson, Chairman**



Linda S. Adams
Secretary for
Environmental Protection

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April 30, 2008

Ms. Karen Niiya
State Water Resources Control Board
P.O. Box 2000
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STATE WATER RESOURCES
CONTROL BOARD
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DIV OF WATER RIGHTS
SACRAMENTO

Dear Ms. Niiya:

Subject: Comments on the Policy for Maintaining Instream Flows in Northern California Coastal Streams

Thank you for the opportunity to comment on the March 14, 2008 draft of the "Policy for Maintaining Instream Flows in Northern California Coastal Streams" (Draft Policy), the Supplemental Environmental Document (SED), and the "North Coast Instream Flow Policy: Scientific Basis and Development of Alternatives Protecting Anadromous Salmonids" report (Task 3 Report). Per Assembly Bill 2121, an instream flow policy was to be adopted by the State Water Resources Control Board (State Board) by January 1, 2008 for the purpose of permitting water rights in such a way as to maintain the instream flows necessary to protect threatened and endangered salmonid species in the coastal streams north of San Francisco up to the Mattole River watershed and including streams discharging to San Pablo Bay.

The North Coast Regional Water Quality Control Board (Regional Board) has an interest in the development and implementation of an instream flow policy, because it is charged with protecting water quality in much of the policy area, including the compliance with water quality objectives (e.g. temperature, dissolved oxygen, and sediment) and protection of beneficial uses (e.g., cold freshwater habitat; estuarine habitat; rare, threatened or endangered species; migration of aquatic organisms; and spawning, reproduction, and/or early development) as described in the Water Quality Control Plan for the North Coast Region (Basin Plan). The Regional Board engages in numerous activities related to this end that may be affected by an instream flow policy including but not limited to the:

- Development and enforcement of water quality objectives;
- Identification of impaired waterbodies requiring listing under 303(d) of the Clean Water Act;

California Environmental Protection Agency

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