

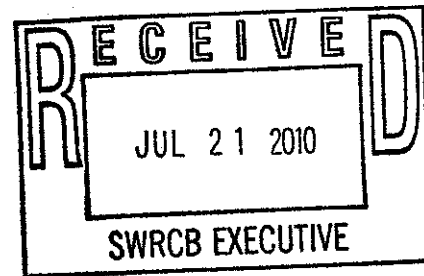


UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION IX

75 Hawthorne Street
San Francisco, CA 94105-3901

JUL 21 2010



Charlie R. Hoppin
Board Chair
State Water Resources Control Board
1001 I Street
Sacramento, CA 95814

Subject: Comments Regarding *Proposed Approval of an Amendment to the Water Quality Control Plan for the North Coast Regional (Basin Plan) to Establish: (1) site specific water quality objectives for dissolved oxygen in the Klamath River; (2) an action plan for the Klamath River Total Maximum Daily Loads addressing temperature, dissolved oxygen, nutrient, and microcystin impairments in the Klamath River; and (3) an implementation plan for the Klamath and Lost River Basins*

Dear Mr. Hoppin:

We appreciate the opportunity to provide comments for consideration by the State Water Resources Control Board (State Board) regarding approval of the above-referenced amendment to the North Coast Basin Plan.

EPA supports the North Coast Regional Board's approach for the site specific water quality objectives for dissolved oxygen in the Klamath River. These site specific objectives for dissolved oxygen (DO SSOs) update existing objectives applicable to the Klamath River; they accommodate data from current collection technologies, and are based on DO values achievable under natural conditions, and temperature and pressure. EPA recommends that the State Board approve the amendment to the North Coast Basin Plan to establish the DO SSOs, and submit the DO SSOs to EPA for review under Clean Water Act Section 303(c).

EPA worked closely with the North Coast Regional Board during development of the *Staff Report for the Klamath River Total Maximum Daily Loads (TMDLs) Addressing Temperature, Dissolved Oxygen, Nutrient, and Microcystin Impairments in California and the Klamath River and Lost River Implementation Plans*. We are impressed by the quality of the document, and are confident that it represents a strong technical approach. EPA supports the State Board's approval of these amendments to the North Coast Basin Plan (to establish the action plan for the Klamath River TMDLs and the Implementation Plan for the Klamath and Lost River basins), as they represent an important next step in the process of advancing water quality in the Klamath Basin.

While EPA supports the Board's approval of this amendment, this letter does not constitute an approval or determination by EPA under Clean Water Act Sections 303(c) or 303(d). EPA looks forward to the submittal of the DO SSOs and the Klamath River TMDLs by the State Board to enable EPA approval by December 31, 2010. As you know, EPA is to adopt or establish nutrient and temperature TMDLs for the Klamath River, from the Oregon border to the Pacific Ocean, by December 31, 2010 in accordance with the consent decree *Pacific Coast Federation of Fishermen's Associations, et al. v. Marcus* (No. 95-4474 MHP, 11 March 1997), amended in December 2007 (*Notice of Agreement to Modify Schedule for Establishment of Total Maximum Daily Loads* (filed in U.S. District Court for the Northern District of California)).

We look forward to working with North Coast Regional Board, Oregon Department of Environmental Quality, and our Regional office in Seattle on TMDL implementation to improve water quality throughout the Klamath watershed.

If you have any questions regarding these comments, please contact Susan Keydel at (415) 972-3106.

Sincerely,



Alexis Strauss, Director
Water Division

Cc: Catherine Kuhlman, North Coast Regional Water Quality Control Board