

From: [Kimberly Clements - NOAA Federal](#)
To: [Gotham, Stacy@Waterboards](#)
Subject: Re: REYNOLDS MOLDED PULP MILL NPDES ORDER, TEHAMA COUNTY
Date: Thursday, March 23, 2023 4:08:49 PM

EXTERNAL:

Good afternoon Stacy,
NMFS would like to provide comments on the draft NPDES permit for the Reynolds Molded Pulp Mill Project regarding water temperature discharges and related studies.

NMFS General Comment:

NMFS is NOT contesting the draft permit and we appreciate the opportunity to provide comments via email on such short notice. Water temperature management in the Upper Sacramento River is a multi-partner effort that requires significant collaboration and we appreciate the Central Valley Water Board requiring the discharger to consider the Basin Plan (i.e. incorporate water temperature studies and establish discharge effluent limits) in their permit terms.

Upon review of the draft permit, under "Attachment F Fact Sheet", we are also providing the following comments for the record:

Page, F-31:

"A determination on the reasonable potential for the effluent to cause an exceedance in the temperature water quality objectives cannot be made at this time. Additional information on the applicable time periods when temperature increases will be detrimental to the fishery must be verified with appropriate resource agencies".

Comment #1:

NMFS requests the opportunity to discuss with the Central Valley Water Board additional information on the applicable time periods when temperature increases could be detrimental to NMFS ESA listed salmonids and sturgeon, in particular Sacramento River winter-run Chinook salmon. NMFS also recommends including the California Department of Fish and Wildlife (CDFW) and U.S. Fish and Wildlife Service (USFWS) in these discussions.

Page, F-46:

"Furthermore, the study was not submitted to appropriate federal and state resource agencies including, but not limited to, California Department of Fish and Wildlife, U.S. Fish and Wildlife Agency, National Marine Fisheries Service for review and comment."

Comment #2:

We recommend the Central Valley Water Board provide the previous study results to NMFS, as well as providing it to our partner fisheries agencies identified in the above language under F-46, "California Department of Fish and Wildlife, U.S. Fish and Wildlife Agency". Review of any previous study information will help the fisheries agencies prepare for providing input on future study updates and assess potential impacts to NMFS. ESA-listed salmonids and sturgeon, if applicable. When available please send a copy of the study results to Kimberly Clements, kimberly.clements@noaa.gov. In the interim, NMFS will identify relevant staff

from the USFWS Red Bluff Office and CDFW Redding Office for the Central Valley Water Board to include for study result distribution as well as include in discussions we recommended in Comment #1.

Page, F-47

"This Order requires the Discharger to conduct a Temperature Study Update and seek input from resource agencies to provide sufficient information for the Central Valley Water Board to determine an appropriate interpretation of the water quality objective. Specifically, the Central Valley Water Board is seeking to obtain additional site-specific information for appropriate application of the temperature objective to the discharge, including, in part, a period of applicability and appropriate averaging periods. The Central Valley Water Board is also seeking to obtain additional information on the discharge's impact to receiving water and habitat in the immediate zone of discharge as a result of the elevated temperature discharge. The Temperature Study Update shall be submitted for review and comment to the Central Valley Water Board and appropriate state and federal resource agencies."

Comment #3:

NMFS requests the opportunity to review the Temperature Study Update, and provide site specific input, if applicable, to support appropriate interpretation of the temperature objective for discharge as well as provide additional information on the potential discharge impacts to receiving waters/habitat in the Sacramento River. The Sacramento River, including this reach, is listed as critical habitat for ESA-listed salmonids and sturgeon. In addition, there are many activities currently in place or being planned for this reach of Sacramento River to contribute to the recovery of ESA-listed salmon, in particular, critically endangered Sacramento River winter-run Chinook salmon. NMFS also recommends the Temperature Study Update be provided to the USFWS and CDFW for their review and input. When available please send a copy of the study update to Kimberly Clements, kimberly.clements@noaa.gov. In the interim, NMFS will identify relevant staff from the USFWS Red Bluff Office and CDFW Redding Office for the Central Valley Water Board to include for study update distribution as well as include in discussions.

If you have any questions please reach out to me via email at kimberly.clements@noaa.gov or phone at (832) 217-0540.

Thanks again for the opportunity for NMFS to provide comments

On Tue, Mar 21, 2023 at 3:01 PM Kimberly Clements - NOAA Federal <kimberly.clements@noaa.gov> wrote:

Good afternoon Stacy,

I am the biologist assigned to this task for this notice and trying to figure out how to submit comments on behalf of NMFS for this proposed NPDES order. I see this the following guidance in the cover letter:

"In accordance with the enclosed Notice of Public Hearing (Notice), written comments and evidence concerning the proposed Order must be submitted to this office no later than 5:00 p.m. on 24 March 2023."

- (1) Is there an electronic process to do so?
- (2) Also, is the order I downloaded and reviewed online the same as the draft permit? If not can you please send me a copy of the draft permit?

I am new to this type of request so curious, I see in the order states that it "does not authorize any act that results in the taking of a threatened or endangered species" and that "The Discharger is responsible for meeting all requirements of the applicable Endangered Species Act."

So to clarify, is the Water Board asking for concurrence from NMFS on the draft NDPES, or will we be receiving a request consultation for the proposed project at a later date?

I am asking since the order also states in multiple locations the need to coordinate with the resource agencies regarding water temperature discharges and related studies.

Thanks

Kimberly Clements

Natural Resource Management Specialist

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