

**California Aquaculture Association
Governmental Relations Office
1521 "I" Street, Sacramento, California 95814
916/204-6920**

316 (b)
Once Through Cooling
Deadline: 9/15/06 5pm

September 15, 2006

Ms. Tam Doduc
Chair, State Water Resources Control Board
Environmental Protection Agency
1001 "I" Street
Sacramento, California 95814



Re: CWA 316(b) policy

Dear Chairwoman Doduc:

The California Aquaculture Association is a nonprofit organization representing California producers of all kinds of aquaculture products including shell fish and finfish for food purposes, ornamental fish, fish for experimental purposes, aquatic plants and fish for replenishment of wild populations. We have concerns about the CWA316(b) draft policy as it is written.

You have received or will be receiving soon a submission from the Hubbs-Seaworld Institute requesting a "broader interpretation" of "Restoration Measures" relative to once-through cooling. Rather than restate all the details of their submission we wish to go on record as strongly supporting their comments and recommendations to the SWRCB.

The essence of their recommendation with regard to fisheries replenishment is that more "out-of-kind and off-site" restoration programs should be permitted under the policy. As they point out an "in-kind, on-site" approach is overly restrictive and should not be the "preferred" approach to restoration. Direct fisheries replenishment should be encouraged as a means of restoring depleted fish stocks and enhancing the coastal fisheries of the state.

The Hubbs-Seaworld Institute's seabass in enhancement program has been a great success and more such programs should be encouraged under the state's regulatory framework. Interagency communications should be conducted with the Department of Fish and Game with regard to this issue and consideration should be given to the goals of the Nearshore Fishery Management Plan referenced in the Hubbs-Seaworld comments. We recommend amending 316(b) as recommended above.

Thank you for considering our views.

Sincerely,

Richard L. Matteis
Director of Governmental Relations