

North Eastern California Water Association

P.O. Box 367, McArthur, CA 96056

NECWA's Mission is to protect and enhance water rights, water quality and riparian areas to the benefit of agriculture, the environment, recreation, and wildlife in the Northeastern California region.

November 28, 2012

Delivered Via E-mail to byee@waterboards.ca.gov

Ms. Betty Yee
Regional Water Quality Control Board
Central Valley Region
11020 Sun Center Drive, #200
Rancho Cordova, CA 95670

Subject: Comments of NECWA Regarding Triennial Review of the Water Quality Control Plan for the Sacramento River and San Joaquin River Basins

Dear Ms. Yee:

The North Eastern California Water Association (NECWA) submits the following comments on the Triennial Review of the Water Quality Control Plan for the Sacramento River and San Joaquin River Basins (Basin Plan). NECWA thanks the Central Valley Regional Water Quality Control Board (Board) for the opportunity to provide our input and views regarding issues for priority consideration in the Triennial Review and the Basin Plan amendment projects that will best address the water quality planning needs of the region.

NECWA is a landowner-based volunteer organization that is comprised of over 150 members who care deeply about the watershed they live and work in. Their livelihoods depend upon the health and quality of the Upper Pit River watershed and they have been stewards of it in many instances for five generations.

After years of monitoring as well as decades of local knowledge, it is abundantly clear that the Upper Pit system is not entirely a COLD water system, as it is currently classified. We stand ready to provide to the Board information that will help to segment the Upper Pit appropriately into both COLD and WARM segments.

NECWA respectfully requests that:

- 1. The Basin Plan be modified to change the beneficial uses of the Pit River from Likely on the South Fork, the entire North Fork of the Pit to the confluence of Fall River or segments thereof from COLD WATER HABITAT and COLD WATER SPAWNING to WARM WATER HABITAT and WARM WATER SPAWNING.**

It may be appropriate to make some of these designations on a seasonal basis. We would request that we work with staff, utilizing our local knowledge and monitoring data gathered over these past decades, to determine any seasonal designations. We recognize this may be a new direction for the Board, however, we feel it may be a very logical direction to solve a very large problem that we both have to solve in the near future.

Beneficial uses were not accurately identified in the 1975 Basin Plan document in which they were originally listed relating to identification of the river as a cold water habitat. The Pit River is currently designated as a COLD WATER HABITAT and COLD WATER SPAWNING. For the river to be listed as cold, it must support resident populations of cold water fishes. Trout species are resident in most of the tributaries to the Pit River (Reid 2001 – Attachment A) and are transient into the Main Stem during acceptable conditions. Although cold water species may be transitory in the Main Stem of the river during acceptable conditions, repeated evaluations and sampling of the Main Stem have not revealed resident populations, and the temperature regimes monitored do not support a cold water designation for either spawning or habitat. More importantly, the initial evaluations by Moyle

(1984 based on 1973 and 1974 data) of the Pit River system specifically identified warm water assemblages in the Main Stem.

Data collected from 1952 to 2004 demonstrate the average temperature in the Main Stem of the Pit River from June to September is approximately 67 degrees Fahrenheit, with water temperatures in July and August usually well above 70 degrees Fahrenheit. The highest temperature on record was 88 degrees Fahrenheit, recorded on July 13, 1977. These summer temperatures are well above the thermal tolerances for most cold water species (see Attachment B). Therefore, it is unlikely that there are sustainable cold water fish populations in the Main Stem and that the initial designation as cold was in error.

The individual tributaries of the Pit River have not been designated for specific beneficial uses. The “Tributary Rule” has been used to designate beneficial uses for the Pit to this point. Many of these tributaries may be appropriate for designation, but they should be listed on their own as found appropriate. Their potential should not have been a reason to designate the Pit system as a Cold water fishery. We would look forward to working with the Board to develop any tributary designations as appropriate in the future.

- 2. That site-specific objectives for pH be developed for the Tributaries and the mainstem Pit (similar to those that exist for Goose Lake) to reflect natural ambient background conditions of higher pH in native waters for the entire Upper Pit River system.**

Recently, a number of tributaries of the Upper Pit River were listed on the 303(d) list as impaired for pH. Many of these represent clear, cold, pristine waters that are not anthropogenically impaired, such as Eastman Lake, the spring-fed headwaters of Fall River. The majority of the native materials and base rock in the area are volcanic in origin, which can affect pH. A site-specific standard was adopted for Goose Lake to accommodate this issue, and it is requested that this standard be applied to the entire Upper Pit River system, not just the headwaters area.

- 3. That designations for CONTACT RECREATION be deleted for waters to which they do not apply and to those within designated wildlife habitat areas and refuge areas (due to the presence of large concentrations of water fowl throughout the year.)**

The individual tributaries of the Pit River have not been designated for specific beneficial uses. The tributary rule has been used to designate beneficial uses of the Main Stem of the Pit River to the tributaries. Many of these tributaries are not capable of supporting the same beneficial uses as the Main Stem relative to contact recreation, and this beneficial use should not be included in certain areas. Other beneficial uses should also be reviewed as applicable.

NECWA appreciates the opportunity to provide input to the Regional Board's Basin Plan Triennial Review process. We respectfully request that the Regional Board consider these comments in identifying the priority issues for the Triennial Review and in developing Basin Plan amendment projects. If you have any questions regarding these comments, please contact Rod McArthur at 530-336-5273.

Sincerely,

Pam Giacomini, Executive Director

on behalf of **Rod McArthur, President, NECWA**

CC: Ben Letton, CVRWQCB, Redding Office

Attachment