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To: "Matt St. John" <Mstjohn@waterboards.ca.gov>
CC: Erica Terence <erica@klamathriver.org>, Crystal Bowman <crystalqvir@yaho...>
Date: 3/19/2009 12:39 PM
Subject: Comment on Public Review Draft 2008 Integrated Report
Attachments: Crystl-JohnsnCrPollut-5-05_02.jpg; CattlePollution-MouthCrystal-JohnsonCr_06.JPG; 026_24.jpg

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March 19, 2009

Matt St. John, North Coast Regional Water Quality Control Board

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SUBJECT: *Comment on Public Review Draft 2008 Integrated Report*

Dear Matt St. John:

The* Public Review Draft 2008 Integrated Report* (Draft Report) states in part: "The Listing Policy requires that all waters that do not meet water quality standards be placed on

the Section 303(d) List."

It has come to my attention that the Quartz Valley Indian Reservation (QVIR) has two years of monitoring data for the Scott River which strongly indicates a nutrient impairment. According to the individual in charge of this data for the QVIR, the data has been offered to NCWQCB staff but was told that the data was not needed. While this was a TMDL staff member, I believe it is not in the interest of the State to refuse available data.

Attached to this communication are photos showing the nutrient pollution in the Scott River:

1. Discharge of manure laden water into Patterson Creek in Scott Valley. The channelized discharge is from Crystal and Johnson Creek watersheds where there is a dairy and where thousands of closely confined cattle have 24 hour access to streamcourses. I have filed complaints on this discharge with both the NCWQCB and CDFG. Your staff have taken samples and determined that the waters contain manure.
2. This photo shows a cow pie in the dry bed of lower Patterson Creek. This is a common occurrence in the Scott. When water returns in the fall this cattle manure is mobilized and discharged into the Scott River.
3. This photo shows the unfettered access of livestock to Scott River Basin waters that is the typical situation throughout most of the Basin – including public lands. Even where fencing has been put in place, grazing is often not excluded. I also have pics showing fences that have been removed/opened to provide livestock access to Scott waters. This is along Johnson Creek.

This letter incorporates by reference my letter and pics provided to the NCWQCB on 2-28-09. Based on the above, the 2-28-09 letter and on additional information you have in your files the Scott should be listed as impaired by nutrients. Failure to do so would violate direction for the 303 d process.

Please correct the omissions of data on Scott nutrient pollution in the final 2008 Integrated Report. Please also recommend the Scott as impaired for nutrients as required given the data and the situation on the ground in the Scott River Basin. .

Via e-mail

Felice Pace

PS: Please use these photos with attribution in your presentation to the Board on the Integrated Report.

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"Whoever controls the narrative controls history. This is a powerful

message. Those who ignore it will remain blind to the manipulation of others; but those who get it, like the people of the American Revolution, will be able to challenge abusive authority and take control of their destinies."

Ray Rafael in *Founding Myths*