



August 9, 2011

State Water Resource Control Board
Mr. Richard Satkowski, P.E.
1001 I St, 14th Floor, P.O. Box 2000
Sacramento CA, 95812



Subject: Comment Letter – Water Measurement

Dear Mr. Satkowski,

The Suisun Resource Conservation District (SRCD) attended the State Water Board Water Diversion Measurement Workshop on July 21, 2011 and provided public comment. Board Chairman Hoppin requested that SRCD formally submit this letter capturing SRCD comments and questions raised during the workshop public forum.

Located between the western edge of the fresh water of the Sacramento-San Joaquin Delta and the salt water of the San Francisco Bay, the Suisun Marsh lies within a unique geographic mixing zone that creates this brackish water wetland complex. The Suisun Marsh has 52,000 acres of publicly and privately owned diked managed wetlands. These wetlands are managed using brackish water diverted by gravity from the adjacent tidal sloughs. These brackish wetlands provide habitat for resident and migratory fish and wildlife, preserves and enhances California's wetland resources, and also supports significant private and public recreational opportunities.

After the passage of the 2009 Comprehensive Water Package and the implementation of SB-8, SRCD held a landowner workshop in June of 2010. The purpose of the workshop was to encourage and assist all landowners in the Suisun Marsh to submit their Initial Statements of Water Diversion and Use by July 1, 2010 to the State Water Resources Control Board (SWRCB) Division of Water Rights with monthly estimates of quantities of water diverted. The new regulations, effective on or after January 1, 2012, require monthly records of water diversion measurements to be made using best available technologies and best professional practices or the applicant must provide the State Water Board documentation demonstrating that the implementation of those practices is not locally cost effective.

During the public forum period at the July 21, 2011 Water Diversion Measurement Workshop, SRCD expressed significant concern about the ability of Suisun Marsh landowners to comply with this new regulatory requirement and asked the following questions in hopes of receiving clarification from the SWRCB staff:

Directors

Timothy Egan, President
Terry Connolly
Arnold Lenk
Tony Vaccarella
Jim Waters

Associate Directors

Dennis Becker
Bill Brush
H. Kent Hansen
Mike Lewis

Directors Emeritus

Gregory Palamountain
James Bancroft
Ray Lewis
Dr. William Coon
Leland Lehman
Paul Crapuchettes

Staff

Steven Chappell
Executive Director
Bruce Wickland
Operations Manager
Kelli Perez
Office Supervisor
Yvette Pereira
Office Assistant
Orlando Rocha
Water Manager/Biologist
Tim Edmunds
Water Manager/Biologist
Jeff Taylor
Water Manager/Biologist
Robert Fromm
LJI Resident Caretaker
Martha Rocha
Education Coordinator

SUISUN RESOURCE
CONSERVATION DISTRICT
2544 Grizzly Island Road
Suisun, CA 94585-9539
(707) 425-9302
(707) 425-4402 FAX
srcd@suisunrcd.org
www.suisunrcd.org

1. **Why is reporting the diversion volumes of brackish water in the Suisun Marsh necessary?** The SWRCB has salinity standards for the Suisun Marsh October through May of each water year. These standards were developed to restore and maintain Suisun Marsh primarily as a brackish water marsh capable of producing high-quality feed and habitat conditions for waterfowl and other marsh-dependant wildlife using best practical management practices. The water diverted into the Marsh is non-consumptive and downstream of the fresh water uses of the Delta. The brackish water is gravity diverted into the seasonal wetlands, circulated and drained back into the tidal slough channels from which it was obtained.

2. **Diversion measurement devices in Suisun Marsh are not locally cost effective or feasible for the following reasons:**
 - The Marsh is a corrosive environment due to the brackish salinity conditions.
 - The sizes of these diversions are relatively small and are a non-consumptive use.
 - Remote locations with limited seasonal access and limited power sources.
 - Extreme daily and hourly tidal stage variation (over 6 feet of vertical variation) at the point of diversion, with continually changing head pressure and flow rates.
 - Diversion flows stop daily for extended periods of time, when the water levels are higher in the managed wetlands than the adjacent tidal slough at low tide.
 - Fouling of measuring devices (barnacle growth, siltation, and growth of biological debris).
 - Water control structures and bulkhead walls are permanently installed within the exterior levee profiles. The removal and replacement of these pipes is cost prohibitive and could have significant environmental and regulatory constraints.
 - Most all water diversion structures in the Marsh are dual purpose flood and drain structures. At high tide water may be diverted into the managed wetland, but at low tide water can be drained out of the same structure. Bi-directional flows occur through the same water control structure.
 - Utility of data provided by the installation of water reporting devices would be of limited value, due to the physical location of these diversions within the lower Bay-Delta Watershed.

3. **Can all diversions in the Suisun Marsh region, both public and private, be considered collectively through the SRCD and Department of Fish and Game (DFG) regional coordination and the preparation of a uniform response?** The SRCD represents the private landowners in the Suisun Marsh and works closely with DFG on local and regional issues in the Marsh. SRCD believes a coordinated regional approach to be the most effective method to help the SWRCB achieve its objectives under these new regulations. This approach will also address the interrelated nature of public and private land ownerships in the Marsh, common water delivery and drainage facilities, and wetland habitat management objectives. This could avoid the need for each diversion owner having to make individual justification as to why each diversion measurement device is not locally cost effective or feasible, if each Marsh diversion has the same physical constraints and limitations.

SRCD thanks you for your consideration of our comments and looks forward to working with your staff to resolve these issues.

Sincerely,

A handwritten signature in black ink that reads "Steven Chappell". The signature is written in a cursive, flowing style.

Steven Chappell,
Executive Director

Cc. SRCD Board of Directors
Scott Cantrell, Acting Chief DFG Water Branch
Paul Forsberg, DFG Senior Environmental Scientist
Pat Graham, Manager Grizzly Island Wildlife Area