

BRIAN L. MORRIS
COUNTY COUNSEL

DENNIS M. TANABE
DEPUTY COUNTY COUNSEL

DANA L. BARTON
DEPUTY COUNTY COUNSEL

NATALIE E. REED
DEPUTY COUNTY COUNSEL



PHONE: (530) 842-8100
FAX: (530) 842-7032

STACEY L. CLOUGH
LEGAL OFFICE COORDINATOR

LORI A. HEIE
SENIOR LEGAL SECRETARY

Office of County Counsel
COUNTY OF SISKIYOU

P.O. Box 659 • 205 Lane Street
Yreka, California 96097

April 18, 2014

Katharine Carter
North Coast Regional Water Quality Control Board
5550 Skylane Blvd, Suite A
Santa Rosa, CA 95403

Re: Comments on 2012 Integrated Report

Dear Ms. Carter:

Please accept the following comments from the County of Siskiyou and the Siskiyou County Flood Control and Water Conservation District on the draft of the 2012 Integrated Report.

Siskiyou County supports the staff recommendation against listing water bodies as impaired based on low flows. Mechanisms already exist in the water rights process to address levels of flow and their effect on beneficial uses. Approaching this issue from a water quality perspective under Section 303(d) would create redundancy and potential conflict with water rights processes.

We are concerned with the decision to rely upon a single monitoring location as the basis for recommending listing the entire Scott River as being impaired based on dissolved oxygen, pH, and biostimulatory conditions. The DO listing, for example, is based on six lines of evidence, only one of which met the criteria for listing.

LOE ID	Samples	Exceedances	Data Source
32593	4	0	Quartz Valley Indian Reservation
32595	1	0	Quartz Valley Indian Reservation
32597	22	0	Quartz Valley Indian Reservation
33173	62	0	Quartz Valley Indian Reservation
34080	4	0	SWAMP (?)
46766	726	170	Quartz Valley Indian Reservation

The monitoring location for LOE 46766 is by no means representative of the conditions on the entire Scott River. Available data should be reviewed in detail to compare exceedances in LOE 46766 with other monitoring locations to inform whether listing the entire river is appropriate. We have attempted to conduct a brief review, but have been hindered by data quality errors in the other lines of evidence.

Katharine Carter
April 18, 2014
Page 2

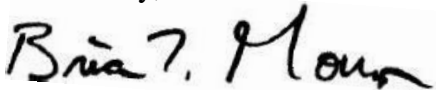
As examples, these reported levels of dissolved oxygen are physically impossible and obviously in error:

August 19, 2008 – Scott River at Gold Flat – DO = 96 mg/l
August 19, 2008 – Scott River at Jones Beach – DO = 103.6 mg/l
August 19, 2008 – Scott River at USGS gage – DO = 110.3 mg/l

We also question the basis for the proposed aluminum listing on the Scott River. The data supporting the proposed listing was reviewed in the 2010 cycle, and a determination was made that listing was not warranted. The data was reevaluated in the 2012 report based on a different standard for the maximum contaminant level, which is the standard for water supplied to the public for a community water system. We are unaware of any such use on the river itself or down the Klamath River.

Thank you for considering these comments.

Sincerely,

A handwritten signature in black ink that reads "Brian L. Morris". The signature is written in a cursive, flowing style.

Brian L. Morris
County Counsel