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ORANGE COUNTY'S GROUNDWATER AUTHORITY

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December 13, 2016

Mr. Kurt Berchtold
Executive Officer
Santa Ana Regional Water Quality Control Board
3737 Main Street, Suite 500
Riverside, CA 92501-3348

Subject: Proposed Amendments to the Water Quality Control Plan for the Santa Ana River Basin Region, Agenda Item 10 of Regional Board's December 16, 2016 Meeting

Dear Mr. Berchtold:

The Orange County Water District (OCWD) is a special district formed in 1933 by an act of the California Legislature. The District manages the groundwater basin that underlies north and central Orange County. Water produced from the basin is the primary water supply for approximately 2.4 million residents living within the District's boundaries. Flow from the Santa Ana River (SAR) is an important supply of water used to recharge the Orange County Groundwater Basin. OCWD appreciates the work of the Regional Board to protect beneficial uses in the Santa Ana Watershed.

In the last week, OCWD staff was able to discuss the proposed COMM beneficial use designation for Anaheim Lake and the proposed SPWN designation for Reach 2 of the SAR. We sincerely appreciate the Regional Board's staff discussion of these items with OCWD staff. This letter contains comments previously provided to Regional Board staff.

OCWD owns over 1,000 acres of land in the cities of Anaheim and Orange that are used to recharge the SAR and other water supplies into the groundwater basin. One of OCWD's properties used for groundwater recharge is Anaheim Lake. The proposed Basin Plan amendment, item number 10 on the Regional Board's December 16, 2016 meeting, includes adding a COMM (Commercial and Sport fishing) beneficial use for Anaheim Lake. The existing beneficial uses designated for Anaheim Lake are GWR, REC1, REC2, WARM, and WILD. As the property owner of Anaheim Lake, OCWD has reviewed the proposed addition of the COMM beneficial use designation for Anaheim Lake.

Following is additional information related to Anaheim Lake:

- In the past, there has been sporadic fishing at Anaheim Lake via a fishing concession operated by an OCWD-selected lessee. In the last five years, fishing through the lessee's concession has not occurred at Anaheim Lake.
- From year 2000 to 2012, there was some sporadic fishing at Anaheim Lake, for a few months once every three to five years.
- On a percentage basis, fishing occurred from year 2000 to the present well less than 10 percent of the time.
- In the future, due to operational changes by OCWD, it is unlikely there would be any fishing at Anaheim Lake. First, OCWD is evaluating together with the Metropolitan Water District of Southern California a recycled water recharge project that would use Anaheim Lake. This project would recharge water treated through reverse osmosis into the groundwater basin through Anaheim Lake and would preclude future fishing at Anaheim Lake (since the water would have low total dissolved solids and low nutrient concentrations). Second, separate from the recycled water project that is being evaluated, OCWD is considering other operational changes that would preclude future fishing at Anaheim Lake.
- Anaheim Lake is not a permanent water body. Anaheim Lake is drained of water and dried out for maintenance purposes at least once per year.

#1

OCWD therefore requests that there be no additions to the existing beneficial use designations for Anaheim Lake and that the COMM beneficial use not be added.

Regarding the SAR Reach 2 proposed SPWN (spawning, reproduction, and development) beneficial use designation, OCWD would like to provide additional information for the Board's consideration.

The critical habitat defined by the United States Fish and Wildlife Service (USFWS) for Santa Ana Sucker extends from below the Prado Dam outlet to 0.6 miles downstream of Imperial Highway (State Route 90). Here is text from the USFWS final rule:

#2

Subunit 1C is located near the City of Corona in Riverside County and the cities of Anaheim and Yorba Linda in Orange County, California. This subunit includes approximately 10.7 mi (17.2 km) of the Santa Ana River mainstem from below the Prado Dam outlet in Riverside County to 0.6 mi (1.03 km) downstream of the State Route 90 (Imperial Highway) Bridge in Orange County.

(Federal Register /Vol. 75, No. 239 /Tuesday, December 14, 2010, page 77979)

OCWD recommends that the proposed SPWN beneficial use designation in the SAR cover the same area as the USFWS critical habitat designation.

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The USFWS released a Draft Santa Ana Sucker Recovery Plan prepared in 2014. It is our understanding that the Draft Plan has not yet been finalized. The Draft Recovery Plan states:

Despite numerous survey efforts (for example, Haglund and Baskin 2004; RCRCDD 2005, 2010; Baskin and Haglund 2008; Entrix, Inc. 2005; Ecorp 2009; Mills 2012), only six Santa Ana suckers have been captured below Prado Dam since 2001.

(Draft Recovery Plan for the Santa Ana Sucker, USFWS, 2014; page I-5)

The Recovery Plan has a map illustrating the Santa Ana Sucker Current Range and shows the current range in the SAR below Prado Dam extending to Imperial Highway (see Figure 3, page II-5 of the USFWS Draft Recovery Plan).

This information supports matching the geographic extent of the proposed SPWN beneficial use designation in the SAR below Prado Dam to the same area as the USFWS' critical habitat designation (from below the Prado Dam outlet in Riverside County to 0.6 miles downstream of the State Route 90 (Imperial Highway) Bridge in Orange County).

Thank you for your consideration of these comments.

Sincerely,



Michael R. Markus, P.E., D.WRE, BCEE, F.ASCE
General Manager

cc: Wanda Cross, Dave Woelfel