

YAGER/VAN DUZEN ENVIRONMENTAL STEWARDS

**P. O. Box 192
Fortuna, California 95540**

To: Matt St. John, North Coast Regional Water Quality Control Board
Rebecca Fitzgerald
5550 Skylane Blvd., Suite A
Santa Rosa, CA 95403

From: Yager/Van Duzen Environmental Stewards (YES)
P.O. Box 192
Fortuna, CA 94440

Regarding: North Coast 2008 Integrated Report for the 305(b) Water Quality Assessment and the 303 (d) List of Impaired Waters

Dear Matt and Rebecca,

In December of 1999, EPA completed the "Van Duzen River TMDL for Sediment" (EPA 1999). The Total Maximum Daily Load (TMDL) stratified the basin into three distinct sub-basins, the lower basin, the middle basin (Mid Domain), and upper basin. EPA identified the Mid Domain encompassing approximately 202 square miles as contributing the largest amount of sediment to the VDR basin. One of the implementation recommendations from EPA was to "encourage collaboration between agencies and landowners to conduct watershed assessments and pool resources for implementing conservation measures". The Yager/Van Duzen Environmental Stewards (YES) was formed as a response to the listing of the watershed. It was, and remains, a grassroots community organization of ranchers and resource managers.

The mission statement of YES is as follows: "To ensure the environmental integrity of our watershed, while maintaining our heritage and the economic sustainability of our endeavors". Many of the members of YES are fifth generation landowners and believe that as stewards of this working landscape they are keeping the trust of past generations while holding it for future generations.

We have reviewed the 2008 report as it pertains specifically to the Eel River HU, Van Duzen River HA. YES was fortunate enough to work with the EPA during the development of the technical TMDL and one of the results of that effort was YES' participation in the sediment source assessment conducted on 80 sites in the Mid Domain, by Pacific Watershed Associates for the EPA. On page 40 of the *Van Duzen River and Yager Creek Total Maximum Daily Load for Sediment* (EPA 1999), it states the following, "With the exception of the cattle trails across the larger streams, none of the other erosion associated with cattle activities could be directly linked to observable

and measurable quantities of sediment yield to streams capable of sediment transport. Where cattle trails have locally damaged stream banks, we observed no locations within any of the 80 sample plots where the cattle trail resulted in 10yds³ or more erosion and sediment yield (i.e. had gully/tread dimensions 2' X 2" X70" long =10.4 yds³). Given that study we believe that listing Range Grazing-Upland as a contributor to sediment/siltation is unwarranted in the Mid Domain.

Additionally, members of our group participated in a study by UCCE in 1999 for riparian health. The indicators used were EPA's Rapid Bioassessment, NRCS's Stream Visual Assessment and BLM's Proper Functioning Condition. Those assessments found the riparian areas were all functioning and the trend was either upward or not apparent. The instream conditions were healthy enough so that Stream Invertebrates such as Stonefly, Caddishfly, Water Penny, Mayfly and Leaches were observed. Given that study we believe that listing Range Grazing-Riparian as a contributor to sediment/siltation is unwarranted in the Mid Domain.

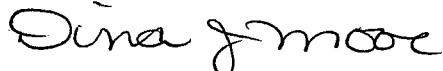
We would also question the listing of removal of Riparian Vegetation in the Mid Domain as a factor in contributing to sedimentation/siltation. Since the flood of 1964 the riparian vegetation has been increasing and we have photo documentation as well as landowner historical accounts as to the improvement.

We are not sure what data was used to establish those findings in the Mid Domain of the VDR. We have voluntarily worked at reducing management related sediment. We initiated an ownership-wide assessment aimed at identifying controllable sources of sediment. The result was the *Summary Report for the Watershed Assessment and Erosion Prevention Planning Project for the Middle Van Duzen River* (PWA 2003). To date, the membership of YES has applied for and received 5 grants for sediment reduction projects, all aimed at treatment of sites identifies by the PWA assessment.

To follow in the spirit of collaboration and cooperation between agencies and landowners as stated in the EPA 1999 report, we want to ensure that suggestions of causes of sedimentation are based on accurate factual data that we are able to realistically endorse and address. Our concern is that with the large number of elements and multiple watersheds that you are responsible for a paint brush approach may be the necessary. However, in this case we believe that the causes listed above are not truly reflective of the conditions within the Mid Domain of the VDR. We desire a healthy watershed as well the opportunity to implement stewardship actions that benefit all of the resources that we manage.

We appreciate your attention to our concerns.

Sincerely,



Dina J. Moore
YES Secretary
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