

05/15/01 16:25 ☎ 530 533 0197

MINASIAN LAW

☑ 002/009

MINASIAN,
SPRUANCE, BABER,
MEITH, SOARES &
SEXTON, LLP

A T T O R N E Y S
A Partnership Including Professional Corporations

1681 Blvd Street
P.O. Box 1679
Oroville, CA 95965-1679

Writer's E-MAIL: msexton@minasianlaw.com

PAUL R. MINASIAN, INC.
WILLIAM H. SPRUANCE, INC.
WILLIAM H. BABER, III, INC.
JEFFREY A. MEITH
M. ANTHONY SOARES
MICHAEL V. SEXTON

TELEPHONE:
(530) 533-2885

FACSIMILE:
(530) 533-0197

LISA A. GRIGG

May 15, 2001

Via Facsimile #(916) 255-0752
Original Via U. S. Mail

Gene Davis
California Regional Water Quality Control Board
Central Valley Region
3443 Routier Road, Suite A
Sacramento, California 95827-3098

Re: Clean Water Act, §303(d) - Public Solicitation of Water Quality Information

Dear Mr. Davis:

These are the comments of the San Joaquin River Exchange Contractors Water Authority and its members Central California Irrigation District, San Luis Canal Company, Firebaugh Canal Water District, and Columbia Canal Company (Exchange Contractors) to the public solicitation of water quality information by the Water Resources Control Board for its submission to the U. S. Environmental Protection Agency required by Federal Clean Water Act §303(d).

The Exchange Contractors irrigate approximately 240,000 acres on the west side of the San Joaquin Valley. Water is delivered to the Exchange Contractors pursuant to the Second Amended Contract for Exchange of Waters, Contract Ilr-1144, February 14, 1968, with the United States Bureau of Reclamation (Bureau). Under the terms of the Exchange Contract, the Exchange Contractors agree not to exercise their pre-1914 State water right to divert water from the San Joaquin River so long as substitute water is delivered to them at Mendota Pool from the federal Delta Mendota Canal (DMC). The Mendota Pool is a water body formed at the confluence of the DMC, the Fresno Slough, and the San Joaquin River; and the Mendota Pool services as the headworks for Exchange Contractor water diversions.

AYY-A
GP12

Gene Davis
May 15, 2001
Page 2.

Article 9 of the Exchange Contract establishes the quality of substitute water that must be delivered by the Bureau to the Exchange Contractors. Article 9(a) provides that, "[t]he quality of water furnished under this contract shall be the best that the United States, following its established operating procedures, can deliver by means of the Delta Mendota Canal and shall be at all times suitable irrigation water for use upon the lands served by the Contracting Entities." Article 9 then goes on to establish daily, monthly, annual, and five year water quality averages. The daily average is established by Article 9(b) as a quality of water not exceeding a mean daily value of 800 TDS, which converts to 1230 EC. The monthly average shall not exceed a mean monthly value of 600 TDS, which converts to 923 EC. The quality of water shall not exceed a mean annual value during a calendar year of 450 TDS, which converts to 692 EC, and the average quality of water for any five consecutive years shall not exceed 400 TDS, which converts to 615 EC.

A little history is needed to put these comments in proper perspective. The original Contract for Exchange of Waters between the Bureau and the Exchange Contractors was executed in 1939 and pre-dates the Federal Clean Water Act. When the Bureau was planning the development of the federal Central Valley Project, and especially the Friant Unit, which was to dam the San Joaquin River at Friant to form Millerton Lake, and then deliver water south to the Kern-Bakersfield area by means of the Friant-Kern Canal, and north to Chowchilla and Madera by means of the Madera Canal, the Miller & Lux entities that had pre-1914 and riparian water rights to substantial quantities of the San Joaquin River main stem were a critical component. The United States entered into two agreements with the Miller & Lux entities: the first was the Purchase Agreement executed in 1939 pursuant to which Miller & Lux sold to the United States substantial quantities of waters of the San Joaquin River that had been placed to beneficial use by the Miller & Lux entities. Then, pursuant to the Exchange Contract, also executed in 1939, the Miller & Lux entities agreed not to exercise their pre-1914 water right upon the San Joaquin River so long as the Bureau delivered substitute water pursuant to terms of the Exchange Contract. The Exchange Contractors are successors to the Miller & Lux entities, and the parties to the Exchange Contract.

The point that needs to be made is this: when the Clean Water Act was subsequently enacted, we see at 33 USC §1252(b) (FWPCA §102) that when a reservoir is planned by the Corps of Engineers, the Bureau or other federal agency, consideration must be given to inclusion of storage for regulation of stream flow. The statute goes on to require that the Corps of Engineers, Bureau, other federal agencies and the EPA Administrator determine, "[t]he need for, the value of, and the impact of, storage for water quality control . . ." and the Administrator's views on these matters, ". . . shall be set forth in any report or presentation to Congress proposing authorization or construction of any reservoir including such storage." (33 USC §1252(b)(3)).

It is clear that when Friant Dam was proposed and authorized by Congress as part of the

Gene Davis
May 15, 2001
Page 3.

Central Valley Project and which formed the Friant Unit of the CVP, there was no consideration given to what are now requirements imposed by the Clean Water Act. The Clean Water Act did not exist and therefore there was no planning done by the Corps of Engineers, the U.S. EPA Administrator and the Bureau regarding storage that would have been needed to make water quality releases concurrent with the quantity of water that was needed to achieve the purposes of the Friant Unit Project.

We end up in a "Catch 22" situation. Section 303(d) requires California to develop a submission to EPA. Once the submission is made that recognizes that the San Joaquin River is water quality impaired, the CWA requires the development of TMDLs to address the water quality impairment. However, nowhere is consideration given to the fact that the massive water project that was developed by the United States, and that resulted in the water quality impairment that form the basis of the 303(d) listing, pre-dated the Clean Water Act. Obviously, we have conflicting Congressional enactments.

Let us focus on the local result that follows from the State's 303(d) submittal to EPA. A TMDL is developed to deal with the water quality impairment. We must assume that the Regional Board and the Water Resources Control Board intend to require a 700 EC criteria to protect agricultural beneficial uses in the Delta as this has been the stated objective for some time. However, as shown by the water quality data explained in the attached Exchange Contractors' newsletter, the Exchange Contractors, and its members and their growers cannot hope to meet this objective. This is due, partially, to the quality of the water that the Bureau delivers to the Exchange Contractors from the DMC, and partially to the fact that the problem is much broader.

It is worthwhile to remind ourselves that the San Joaquin River is a very intensively managed system. Meeting a water quality standard is more a function of water project management than upstream discharges. Certain organizations espouse that the Vernalis salinity standard is exceeded 49% of the time; however, further examination of the data clearly indicates that this is a statistical game used to exaggerate the real data. In reality, the 49% exceedance represents the number of years the standard was exceeded. But it is interesting to note that to get classified as a "exceedance" year only requires that one month within that year has exceeded the standard. Further examination of the data shows that for the 1922-1992 record, the monthly standards were only exceeded 9.8% of the time, or 83 out of 840 months. The San Joaquin River system is managed by the Bureau's CVP Operations division in order to hit the target EC exactly. Approximately 10% of the time, the quality is barely over the target EC and the other 90% of the time it is under the EC target, but almost always fairly close.

In summary, the current methodology by which the State develops its submission to U.S. EPA required by §303(d) ignores the true cause for the San Joaquin River's impairment – the Central Valley Project authorized by Congress that acquired San Joaquin River water from Miller

G5/15/01 16:26 530 533 0197

MINASIAN LAW

005/009

Gene Davis
May 15, 2001
Page 4.

& Lux to irrigate half a million acres of farmland in the Friant Unit knowing full well that a dry riverbed would exist for much of the year between Friant Dam and Gravelly Ford.

Blind adherence to a 303(d) submission without acknowledging the role of Congress makes little sense.

The Exchange Contractors are willing to help develop meaningful and achievable solutions that can improve the water quality in the San Joaquin River system. Top down regulatory control will not work to protect agricultural beneficial uses. It will merely drive small family farmers out of business. There is a better way: it is called Regional Management and it must start with the leadership of the Central Valley Regional Board, the Water Resources Control Board., U.S. EPA and the Bureau.

Very truly yours,

**MINASIAN, SPRUANCE, BABER,
MEITH, SOARES & SEXTON, LLP.**

By: 

MICHAEL V. SEXTON

MVS/bgt

Enclosure: Exchange Contractors Newsletter

cc: Steve Chedester, Executive Director, San Joaquin River Exchange Contractors
Chris White, Manager, Central California Irrigation District
Jeff Bryant, Manager, Firebaugh Canal Water District
Randy Houk, Manager, Columbia Canal Company
Hank White, Manager, San Luis Canal Company
Arthur Baggett, Chairman, State Water Resources Control Board
Gary Carlton, Executive Officer, Central Valley RWQCB
Rudy Schnagl, Central Valley RWQCB
Kirk Rodgers, Acting Regional Director, United States Bureau of Reclamation

05/15/01

16:27

530 533 0197

MINASIAN LAW

006/009

R44-b



SPECIAL ISSUE EXCHANGE PERSPECTIVE

An informational newsletter for growers and landowners in the San Joaquin River Exchange Contractors' service area.

Unreasonable Water Quality Standards Proposed

The California Environmental Protection Agency and the Central Valley Regional Water Quality Control Board propose to establish a water quality standard for agricultural discharges that the Exchange Contractors' water users cannot meet in most years because of the quality of their received water.

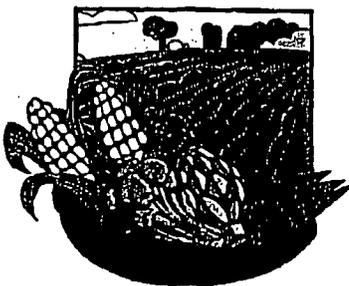
The Exchange Contractors' water users need a fair, reasonable and attainable water quality standard that takes into account the quality of their received water.

Please read the information contained in this newsletter and help us to help you protect westside farming.

The Exchange Contractors are Committed to Working Cooperatively to Protect San Joaquin River Water, Preserve Our Family Farms & Keep the Local Economy Growing.

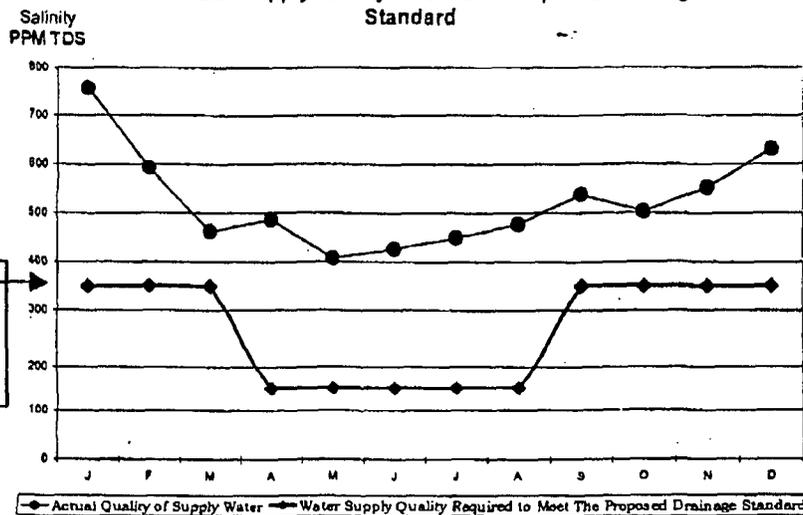
We're concerned about the Salinity & Boron Basin Plan Amendment for the Lower San Joaquin River proposed by Cal EPA and the Central Valley Regional Water Quality Control Board. The plan's water quality standard is unattainable and would be economically devastating to Westside farms.

Let's work together to establish a reasonable water quality standard. Let's base the standard on sound science and consider all reasonable beneficial uses.



In some years, such as 1992, the proposed standard would have been unattainable for the Exchange Contractors to meet.

1992 Water Supply Quality Relative to Proposed Drainage Standard



Quality Level Needed To Meet Standard

—●— Actual Quality of Supply Water - - - ● - - - Water Supply Quality Required to Meet The Proposed Drainage Standard



EXCHANGE PERSPECTIVE

An informational newsletter for growers and landowners in the San Joaquin River Exchange Contractors' service area.

EXCHANGE PERSPECTIVE

A newsletter published by the Sa Joaquin River Exchange Contractors Water Authority, 836 Sixth Street, Los Banos, CA 93635, for the purpose of educating and updating those interested in water issues and developments in the Exchange Contractors' service area and the West side of the Central San Joaquin Valley. To comment or receive further information, please write or telephone us at (209) 827-8616 or contact your member agency.

James E. O'Banion
Chairman

John B. Britton
Vice Chairman

Jack Threlkeld
Treasurer

Darrell Vincent
Director

Steve Chedester
Executive Director

Joe Scott
Water Resources Specialist

Shelley Stauffer
Administrative Assistant

Patty Baldini
Receptionist

-Member Agencies-

Central California Irrigation District
James E. O'Banion, President
Christopher White, Manager

Columbia Canal Company
Darrell Vincent, President
Randy Houk, Manager

Firebaugh Canal Water District
John B. Britton, President
Jeff Bryant, Manager

San Luis Canal Company
Jack Threlkeld, President
Robert Capehart, Manager

As seen in the page 1 chart, based on 1992 data (1985-99 data shown as Appendix 1 and 2), salinity of the Delta water provided to Westside farmers always exceeded a level that would allow them to meet the proposed drainage standard for the River. A fair standard would specify a reasonable, attainable target for water quality based on the quality of supply.

- Common sense dictates that any water-quality standard for the lower San Joaquin River should take into consideration the quality of irrigation water provided to Westside farmers.
- Why not use the successful, flexible boron standard as a model? This standard, set a decade ago, takes water supply into account and it has worked well.
- Let's base river water quality standards on sound science.

It is proposed that measurement of river water quality move upstream of Vernalis where there is a lack of mitigating inflows. This would make the standard excessively restrictive and economically devastating.

At Vernalis, water-quality targets are either met or insignificantly exceeded a high percentage of the time. Only modest improvements are needed to meet the existing standards at Vernalis. If only modest improvements are needed, why move unattainable standards upstream?

- Exchange Contractor farmers are eager to work with the regulatory and environmental communities to develop reasonable, achievable water-quality standards.
- Why not develop a reasonable standard based on water-quality degradation and apply it to all users in the system?
- If the objective of setting a standard is to enhance water quality, give farmers the tools to achieve this.
- Exchange Contractor farmers are doing their part to conserve water, protect water quality and support other beneficial uses like ground-water preservation and wildlife habitat.
- An excessively restrictive standard will put Westside farmers out of business.
- Exchange Contractors serve more than 2,700 farms on 240,000 acres of land annually producing over \$400 million in value.

- San Joaquin River Exchange Contractor farmers include a significant percentage of family farms on small acreages. These families could lose their livelihood, and this family farming heritage for our region could be lost, if the State enacts unfair drainage standards.

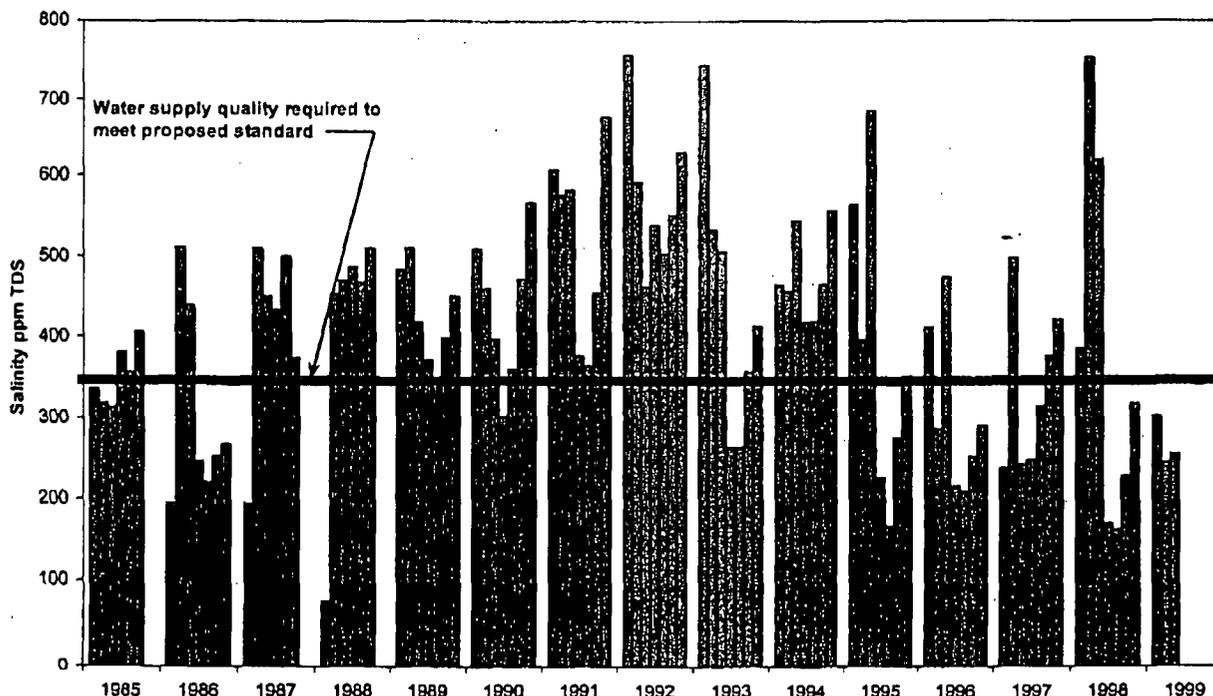
- Farming is an essential, historical beneficial use of water that deserves regulatory fairness.

Support Attainable Standards for Water Quality Based on Sound Science!

HELP US DEFEND THE FARMING WAY OF LIFE

- Write, email and call your local and state representatives and tell them about your concerns.
- Look for meeting, hearing or workshop notices about the Basin Plan Amendment from Cal EPA and the Regional Water Quality Control Board. Plan to attend and encourage your friends and neighbors to attend.
- More info: <http://www.swrcb.ca.gov/~rwqcb5/>
- Call the San Joaquin River Exchange Contractors at 209-827-8616 for more information.
- Contact your Local Water Agency staff.
- (If you would like to be placed on the mailing list for the Salt and Boron Basin Plan Amendment, please send an e-mail message to groberl@rb5s.swrcb.ca.gov (Les Grober 916-255-3091) at the RWQCB. Please include in the body of the message: full name, mailing address, hone number, extension, FAX number.

Appendix 1: Actual Water Supply Quality Relative to Required Water Supply Quality to Meet Drainage Standard (Jan - March, Sept- Dec)



05/15/01 16:29 530 533 0197

MINASIAN LAW

009/009



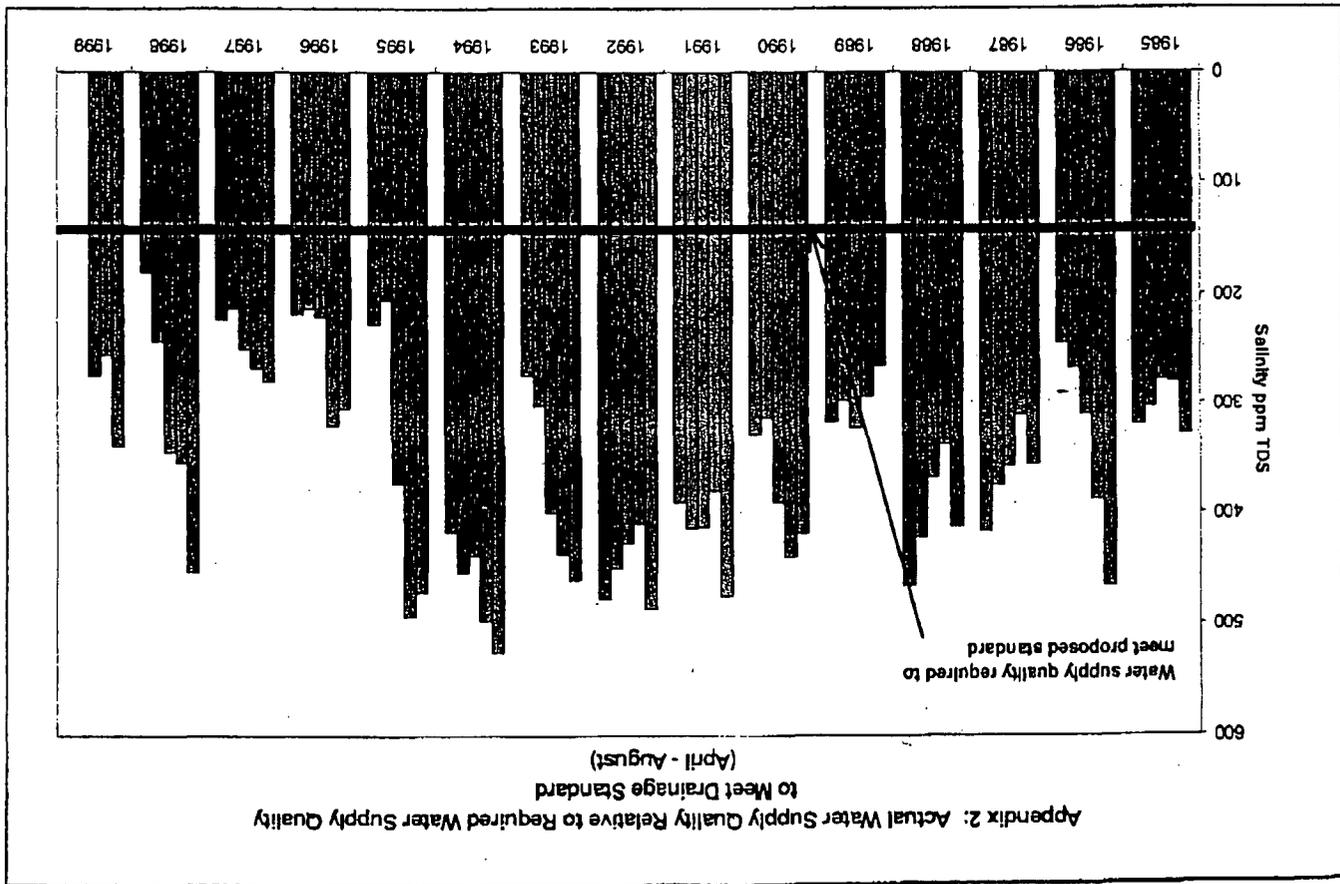
SPECIAL ISSUE

EXCHANGE PERSPECTIVE

BULK RATE
U.S. POSTAGE
PAID
Los Banos, CA 93635
Permit No. 44

A publication by the
SAN JOAQUIN RIVER EXCHANGE
CONTRACTORS WATER AUTHORITY

P.O. BOX 2115 • LOS BANOS, CA 93635





Joe K
5/15/01

Butte
Environmental
Council



Office
116 W. Second Street, Suite 3
Chico, CA 95928
530/891-6424
530/891-6426 Fax
www.becnet.org

Activities and Events
Environmental Education
Recycling Referrals
Environmental Advocacy
Endangered Species Faire
Bidwell Park Cleanups
Chico Area Creek Cleanups
Wetlands Preservation

Board of Directors
Nora Burnham
Bill Helmer
Billie Kanter
Jill Lacefield
Susan Mason
Christy Strauch

Executive Director
Barbara Viamis

Staff
Jennifer DaParma
Kylene Hees
Janie Teague-Urbach

May 15, 2001

Joe Karkoski
303(d) List Coordinator
CRWQCB
Central Valley Region
343 Routier Road, Suite A
Sacramento, CA 95827-3003

R-18

Re: Clean Water Act 303(d) comments

Dear Mr. Karkoski:

On behalf of the thousands of concerned citizens in this state and around the country, Butte Environmental Council urges you to ensure that the State fulfills its Clean Water Act responsibilities by preparing a comprehensive and detailed listing of impaired waters under Section 303(d) of the Clean Water Act, and by fully including the public in the listing process. The listing of impaired waters represents an important opportunity for this state to move toward achieving our national goals of fishable, swimmable waters.

1. The State Must List All Impaired or Threatened Waters.

As you know, and as the U.S. Environmental Protection Agency (EPA) has continued to emphasize, the federal Clean Water Act (CWA) section 303, 33 U.S.C. § 1313, requires all states to "identify those waters within its boundaries for which the effluent limitations are not stringent enough to implement any water quality standard ("WQS") applicable to such waters." 33 U.S.C. § 1313(d)(1)(A). EPA regulations and policy clarify that states must identify all segments of waterbodies which do not or may not within the next two years meet numeric water quality criteria, narrative criteria, waterbody designated or existing uses or anti-degradation requirements. 40 C.F.R. § 130.7(b)(3), (5); *National Clarifying Guidance for 1998 State and Territorial Section 303(d) Listing Decisions* (August 17, 1997) (set forth with memorandum from Robert Wayland, III to Water Division Directors) ("Clarifying Guidance"), page 2. Thus it is not acceptable for the state not to list, for example, threatened waters or waters that have been identified as impaired by data other than chemical water quality samples indicating exceedences of numerical standards. Similarly, the state must list those waterbodies that can reasonably be expected to fail to meet WQS due to, for example, a planned housing or industrial development.

2. The State Must Use All Existing Data and Actively Solicit Public Input.

In developing its list of all threatened or impaired waters, the state must use "all existing and readily available water quality-related data and information." 40 C.F.R. § 130.7(b)(4). This data includes, at a minimum, waters identified in the most recent state section 305(b) report as "partially meeting" or "not meeting" designated uses or as "threatened;" waters calculated by models not to meet water quality standards; or waters "for which water quality problems have been reported" by local, federal or state agencies, member of the public or academic institutions. This inclusive list of sources of information means that the state may not exclude information because of arbitrary limitations on what it considers acceptable data. The EPA Index of Watershed Indicators is also an appropriate data source. Nor may the state refuse to list any impaired or threatened waterbody segment because it does not know the source of the pollut-

ants causing the impairment.

Not only must the state use all existing and available information, but the state must also actively solicit such information from other agencies, the public, and all possible sources. 40 C.F.R. § 130.7(b)(4)(iii); *Clarifying Guidance*, page 2. In addition to actively soliciting information from the public, the state must make all information available for public review, 40 C.F.R. § 130.7(c)(ii), through notice, hearing, and opportunity for oral and written comment. 40 C.F.R. Part 25.2(a), 25.4(d). See also *New Policies for Establishing and Implementing Total Maximum Daily Load (TMDLs)* (August 8, 1997) (set forth in memorandum from Robert Perciasepe to Regional Administrators Regional Water Division Directors) ("New Policies"), page 3.

We hereby request a copy of the State's most recent "305(b) Report" to EPA on the state of its water quality, which will assist us in the evaluation of the 303(d) list.

3. The List Must Include Waters Impaired by All Sources and Other Information.

The list must include all impaired or threatened waters, even those impaired solely or primarily by polluted runoff (nonpoint source pollution). 40 C.F.R. § 130.2(i). EPA recently reiterated that the "section 303(d) list provides a comprehensive inventory of waterbodies impaired by all sources, including point sources, nonpoint sources, or a combination of both." *Clarifying Guidance*, page 5 (quoting EPA's *Guidance for 1994 Section 303(d) lists* (November 26, 1993)). EPA also recently emphasized that EPA's and the States' duties apply to "all section 303(d)-listed waters impaired solely or primarily by nonpoint sources." *New Policies*, page 4. Thus, the list must include waters impaired solely or primarily by runoff sources such as agriculture, timber, or urban development

The list must not merely be a list of waterbody segments. EPA regulations and guidance make clear that the list must include for each segment: (i) a priority ranking, 40 C.F.R. § 130.7(b)(4); (ii) "the pollutants causing or expected to cause" the WQS violations, *id.*; (iii) whether the "waterbody is impaired for one or more pollutants," *Clarifying Guidance*, page 2; and (iv) the location of the segment through a geographic information system (GIS) or latitude/longitude, *id.* at 7-8. Overall, the list must include a "description of the methodology used to develop the list" and "of the data and information used to identify waters." 40 C.F.R. § 130.7(b)(6).

Of course, the section 303 process does not end with the list. Once the list is created, the State must establish the total maximum daily load at a level that will achieve and maintain applicable water quality standards, 33 U.S.C. § 1313(d)(1)(C), incorporates seasonal variations, *id.*, incorporates a margin of safety, *id.*, which "takes into account any lack of knowledge concerning the relationship between effluent limitations and water quality," 40 C.F.R. § 130.7(c)(1), and accounts for both point and nonpoint sources, 40 C.F.R. § 130.2(i). These TMDLs must also be developed with full public participation, 40 C.F.R. § 130.7(c)(ii). Crucially, the TMDL must be coupled with an implementation plan which, at a minimum, provides reasonable assurances that the nonpoint source load allocations established by the TMDLs will in fact be achieved, *New Policies*, page 5. The State should be thinking ahead to these issues as it develops the section 303(d) list.

To emphasize a few important points noted above, we reiterate:

- Waters that are likely to be impaired within the next two years must be listed;
- All sources of data such as any use impairments—e.g. fish advisories, shellfish restrictions, beach closures—and any water quality problems identified by any person—e.g. pollution spills, sediment deposition, visible algae blooms or noticeable odors, stream bed or bank alterations—must be used in developing the lists;
- Waters impaired or threatened primarily or solely by runoff sources or atmospheric deposition or heat must be listed;
- The lists must identify the specific pollutants causing the impairment or threat and the specific source of the pollutant to the greatest extent possible;
- The lists must accurately identify the waterbody segment through a GIS system or other equally precise means;

and

• The State must fully include the public in the listing process by, among other things, actively soliciting their information and holding hearings.

4. Waterbodies to be added to the 2002 303(d) list.

It is important to note that input from citizens, the academic community and others must be sought early enough in the listing process to have an impact on the substance of the State's decisions, 40 C.F.R. 25.4(c-d). Butte Environmental Council is requesting the addition of the following waterbodies to the State 303(d) list.

1. **Butte Creek:** sampling data gathered by NAWQA indicates one toxic reading. Increased monitoring is necessary to gather additional data. Agriculture has severe impacts on this waterway.
2. **Comanche Creek:** Sampling data gathered by the local Isaac Walton League indicate measurements exceeding State standards for copper, lead, and zinc. Urban development impacts are high on this waterway.
3. **Little Chico Creek:** Data was gathered by Metcalf and Eddy for the City of Chico in a report dated August 3, 1998. Comments below are pulled from the report by M&E: *Draft Summary Report for Storm Water Monitoring Program, City of Chico Locust Street Storm Drain Improvements Project.*

For both pre-construction [Locust Street Storm Drain] and post-construction sampling events, total suspended solids, total phosphorus, total Kjeldahl nitrogen, nitrate plus nitrate nitrogen, total copper, and total zinc concentrations were all higher than the mean the median and mean event mean concentration reported in the EPA's Nationwide Urban Runoff Program study[9]. This comparison should be tempered by the fact that the samples collected for the present study were not mean event samples, but time discrete samples collected during the first flush of storm water runoff.

Though M&E state that the "pollutant loadings should be qualified as upper-end estimates," I suggest that they are not upper-end as they were conducted too soon to obtain the pollutants from the first flush except those already in the storm drain. The sampling needs to occur after .5" of continuous rainfall.

4. **Dead Horse Slough, a tributary of Little Chico Creek:** This waterbody has mean lead concentration in sediments of 442 ppm though a background concentration of Little Chico Creek only has 15 ppm. This was summarized in a report, *Monitoring of Lead Migration on Dead Horse Slough*, by Glen Lubcke, Greg Magda, Jamie Olivarez, and Dr. David L. Brown in May 1999. This south fork of Dead Horse Slough runs through the largest burn dump in the State of California and has not been remediated.
5. **Little Butte Creek:** The Pacific Eco-Risk study in 2001 found fat-head minnow mortality average 70-80% and believes that it is not chemical contamination due to the growth of fungus on minnows. The cause appears to be bacterial or pathogenic. Up Honey Run Creek smells like a sewer runs into Little Butte about 2 miles from covered bridge.

We look forward to working with you to make sure that the 2002 list of impaired and threatened waters is as comprehensive and accurate as possible. Please send your responses to the inquiries in this letter (including all meeting notices, draft lists, and any other information) to the address listed on page one.

Sincerely,



Barbara Vlamis
Executive Director



Paul E. Helliker
Director

Department of Pesticide Regulation



Gray Davis
Governor

Winston H. Hickox
Secretary, California
Environmental
Protection Agency

MEMORANDUM

TO: Gary M. Carlton, Executive Officer
Central Valley Regional
Water Quality Control Board
3443 Routier Road
Sacramento, California 95827-3098

FROM: Paul E. Helliker *Paul Helliker*
Director
(916) 445-4000

*R35-A
copy 2*

DATE: April 5, 2001

SUBJECT: PUBLIC SOLICITATION OF WATER QUALITY INFORMATION FOR
303(d) LIST PREPARATION

Regional Water Quality Control Boards are, or will soon be, requesting information that may assist in the development of lists of impaired water bodies as required by section 303(d) of the Clean Water Act. The Department of Pesticide Regulation (DPR) would like to notify you of data that may be useful in developing the lists.

DPR's surface water database contains reports of sampling of surface waters for pesticides. It includes studies conducted by both DPR and other entities in the public and private sectors. A CD ROM containing the database was sent to each regional board. Updated information is available on DPR's Web site at <<http://www.cdpr.ca.gov/docs/surfwatr/surfddata.htm>>. The Web site also provides a contact for further information. ✓

In addition, DPR has conducted and reported on a number of studies that may be of interest to you. Reports have been provided to appropriate regional boards and can also be found on DPR's Web site. These include:

- Studies conducted by DPR's Environmental Hazards Assessment Program
<<http://www.cdpr.ca.gov/docs/empm/pubs/ehapreps.htm>>
- DPR reports published in refereed publications
<<http://www.cdpr.ca.gov/docs/empm/pubs/ehapref.htm>>
- Monitoring for the Glassy-Winged Sharpshooter Project
<<http://www.cdpr.ca.gov/docs/gwss>>
- Monitoring for Red Imported Fire Ant Project
<<http://www.cdpr.ca.gov/docs/rifa>>



Gary M. Carlton
April 5, 2001
Page 2

- National Forest Herbicide Monitoring Project
<<http://www.cdpr.ca.gov/docs/empm/pubs/forest/forstprj.htm>>
- Northwestern California Tribal Territories Herbicide Monitoring Project
<<http://www.cdpr.ca.gov/docs/empm/pubs/tribal/tribproj.htm>>

If you would like further information about any of these resources, please feel free to call Kathy Brunetti, DPR's Management Agency Agreement Coordinator, at (916) 324-4100 or e-mail her at <brunetti@empm.cdpr.ca.gov>.

cc: Walt Shannon, Management Agency Agreement Coordinator
State Water Resources Control Board
Stefan Lorenzato, Total Maximum Daily Load Coordinator
State Water Resources Control Board
Rudy Schnagl, Designated Pesticide Contact
Central Valley Regional Water Quality Control Board
Kathy Brunetti



United States
Department of
Agriculture

Forest
Service

Los Padres
National Forest

6755 Hollister, Suite 150
Goleta, CA 93117
(805) 968-6640
TDD: (805) 967-4487

gmp

File Code: 2500

Date: May 11, 2001

Gene Davis
Central Valley Regional Water Quality
Control Board (Region 5)
3614 East Ashlan Avenue
Fresno, CA 93726

R51

RECEIVED
SACRAMENTO
CVR/WOCB
01 MAY 16 PM 2:29

Re: Response to Request for Water Quality Information

Dear Mr. Davis,

This letter is in response to Stan Martinson's March 14, 2001 request for data and information on the quality of surface waters of the State. The Southern California Province, including the Los Padres, Angeles, San Bernardino, and Cleveland National Forests, is currently in the process of revising our four Forest Land and Resource Management Plans (FLRMP). During this effort we will be assembling and analyzing available water quality data and watershed condition information to define water resource goals, objectives and, as necessary, develop new standards and guidelines to protect and maintain riparian and water resources.

In addition to our on-going work on the FLRMP revisions, this past year the Los Padres National Forest conducted Watershed Condition Assessments on all 35 of our 5th field watersheds. This effort included a Geographic Information Systems (GIS) assessment of road interactions on the hydrology, soils and geology within each 5th field watershed. The assessment also included professional judgment ratings of indicators of watershed condition such as floodplain connectivity, water quality, water quantity, stream corridor vegetation, channel stability, and aquatic integrity.

The Los Padres National Forest has also completed Watershed Assessments (WAs) on the North Coastal (Monterey Ranger District) Watersheds, Arroyo Seco River, Sisquoc River, and Sespe Creek. These watershed assessments generally involve defining the existing conditions, defining the desired conditions, and identifying any implementation opportunities to move from existing condition towards desired condition.

We are very interested in working closely with the State Water Resources Control Board (SWRCB) in your efforts to revise the list of waters considered by the State to be impaired (*not attaining water quality standards*) now and during the public process to be conducted during December 2001 through March 2002. We would like to meet with you in the near future to discuss this recent solicitation of water quality information and explain our processes and timelines for completing the FLRMP revisions.



We look forward to working with you in the protection and maintenance of the water resources on the Los Padres National Forest. Please contact Donna Toth, Forest Fisheries and Watershed Program Manager at (805) 925-9538 x: 227 if you have questions or need further information.

Sincerely,

A handwritten signature in cursive script that reads "Jeanine A. Derby". The signature is written in black ink and is positioned above the printed name.

JEANINE A. DERBY
Forest Supervisor

JK

R4

NORTH EDWARDS WATER DISTRICT

P.O. Box 1147, North Edwards, CA 93523

760-769-4520 FAX 760-769-1045

Date: 26 February 2001
File: NEWD.122

RECEIVED
SACRAMENTO
CVR/WQCCB
01 MAR - 1 PM 1:15

Joe Karkoski
303(d) List Update Coordinator
California Regional Water Quality Control Board
Central Valley Region
3443 Routier Road, Suite A
Sacramento CA 95827-3003

SUBJECT: PUBLIC SOLICITATION OF WATER QUALITY INFORMATION dated 21 February 2001

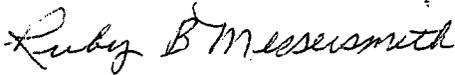
Dear Sir:

In reply to subject correspondence regarding information regarding water quality conditions in surface waters within the Region.

Please be informed, the North Edwards Water District pumps from two wells, no surface water.

Should you have additional questions the undersigned can also be contacted via e-mail: newd@ccis.com.

Sincerely,



Ruby B. Messersmith, President
Board of Directors

From: Bill Killen <wk23@umail.umd.edu>
 To: Gene Davis <DavisG@rb5s.swrcb.ca.gov>
 Date: 3/23/01 9:30AM
 Subject: Re: Solicitation notice

R23-A
 Reference =
 R23-b
 No hard copy
 Submitted

Mr. Davis,

The report I was referring to containing the elevated Diazinon levels measured in Del Puerto Creek in 1991-1993 is:

An Ecological Risk Assessment of Diazinon in the Sacramento and San Joaquin River Basins. *1997, Novartis*

The Report was prepared by the Diazinon Ecological Risk Assessment Panel for Ciba Crop Protection, Greensboro, North Carolina. I have a draft copy of the report dated February 1996. The final report may not have been out until after July 1997 which may account for the data not being included in the 303d listing. *Dennis Tierney, Jeffery Lindner, Lew Howard, 1-ball, clm*

We are in the process of picking sites for sampling next month and were looking at Del Puerto Creek as a candidate for sampling. Would you know of any data available on Del Puerto that would show impairment due to Chlorpyrifos.

Bill Killen

Gene Davis wrote:

> Mr. Killen,

>

> Please find the Public Solicitation letter dated February 21, 2001, and distributed by the California Regional Water Quality Control Board - Central Valley Region (CRWQCB-CVR) attached. An email address to which you can send me information about the data source that indicates elevated diazinon levels in Del Puerto Creek (~1991-1995). I will then ask other CRWQCB-CVR staff why the creek is not on the 303(d) [TMDL] list and send you a reply. The attached letter also includes (at the very end) our TMDL web site address through which we provide other TMDL-related information to the public.

>

> If you wish to be added to our 303(d) process distribution list, please email the pertinent information to me, preferably through the following address: 303dlist@rb5s.swrcb.ca.gov

>

> Gene Davis

> Sacramento River TMDL Unit

> Central Valley Region Water Quality Control Board

> 3443 Rautier Road, Suite A

> Sacramento, CA 95827-3003

> (916) 255-3387

> (916) 255-0752 (FAX)

> davisg@rb5s.swrcb.ca.gov

est 00

V-92

KB

Library
est 30

(R 23-6)

Novartis Crop Protection, Inc.

**AN ECOLOGICAL RISK ASSESSMENT
OF DIAZINON IN THE SACRAMENTO
AND SAN JOAQUIN RIVER BASINS**

Technical Report: 11/97
Environmental and Public Affairs Department
Greensboro, NC 27419-8300



California Regional Water Quality Control Board

Central Valley Region

Robert Schneider, Chair



Winston H. Hickox
Secretary for
Environmental
Protection

Sacramento Main Office
Internet Address: <http://www.swrcb.ca.gov/rwqcb5>
3443 Routier Road, Suite A, Sacramento, California 95827-3003
Phone (916) 255-3000 • FAX (916) 255-3015

Gray Davis
Governor

27 September 2001

TO: Interested Parties

NOTICE OF AVAILABILITY OF DRAFT STAFF REPORT ON RECOMMENDED CHANGES TO CALIFORNIA'S CLEAN WATER ACT SECTION 303(D) LIST AND REQUEST FOR COMMENTS

The California Regional Water Quality Control Board, Central Valley Region (Regional Board) is soliciting comments from the public on the *Draft Staff Report on Recommended Changes to California's Clean Water Act Section 303(d) List* (Report). The Report identifies those surface waters within the Central Valley region that do not meet applicable water quality standards. Copies of the report and the appendices can be found at <http://www.swrcb.ca.gov/rwqcb5/TMDL/>.

After receipt of public comments, the Report will be finalized and submitted to the State Water Resources Control Board (SWRCB) for their consideration. As required by Section 303(d) of the Clean Water Act, the SWRCB will provide the United States Environmental Protection Agency (US EPA) with a revised list of surface waters considered by the State to be impaired (not attaining water quality standards) after certain required technology based water quality controls are in place. It is anticipated that this submission will be provided to US EPA by April 2002, as required by federal regulations. The submission will be based on information and data available to the SWRCB and the Regional Water Quality Control Boards.

The Regional Board solicited information from the public to consider for the update of the 303(d) list on 21 February 2001. The public was requested to provide information by 15 May 2001. At this time, the Regional Board is only accepting public comments on the proposed changes to the 303(d) list and is not collecting additional information or data. Public comments must be received by the Regional Board no later than 2 November 2001. Comments may be submitted to:

Joe Karkoski
303(d) List Update Coordinator
California Regional Water Quality Control Board
Central Valley Region
3443 Routier Road, Suite A
Sacramento, CA 95827-3003

Comments may also be sent electronically to 303dlist@rb5s.swrcb.ca.gov.

California Environmental Protection Agency



Waterbody	Pollutant/Stressor	Hydro Unit ¹	Total Size ²	Affected Size ³	Units	TMDL End Date (Mo/Yr) ⁴
American River, Lower	Group A Pesticides ⁵	519.21	30	23	Miles	12/11
	Mercury	519.21	30	23	Miles	12/11
	Unknown Toxicity	519.21	30	23	Miles	12/11
Arcade Creek	Chlorpyrifos	519.21	10	10	Miles	12/11
	Diazinon	519.21	10	10	Miles	12/11
Berryessa Lake	Mercury	512.21	20,700	20,700	Acres	12/05
Cache Creek	Mercury	511.30	60	35	Miles	12/05
	Unknown Toxicity	511.30	60	35	Miles	12/11
Chicken Ranch Slough	Chlorpyrifos	519.21	5	5	Miles	12/11
	Diazinon	519.21	5	5	Miles	12/11
Clear Lake	Mercury	513.52	43,000	43,000	Acres	12/05
	Nutrients	513.52	43,000	43,000	Acres	12/11
Colusa Drain	Carbofuran/Furadan	520.21	70	70	Miles	12/11
	Group A Pesticides	520.21	70	70	Miles	12/11
	Malathion	520.21	70	70	Miles	12/11
	Methyl Parathion	520.21	70	70	Miles	12/11
	Unknown Toxicity	520.21	70	70	Miles	12/11
Davis Creek Res	Mercury	513.32	290	290	Acres	12/11
Delta Waterways	Chlorpyrifos	544.00	480,000	480,000	Acres	12/05
	DDT	544.00	480,000	480,000	Acres	12/11
	Diazinon	544.00	480,000	480,000	Acres	12/05
	Electrical Conductivity	544.00	480,000	16,000	Acres	12/11
	Group A Pesticides	544.00	480,000	480,000	Acres	12/11
	Mercury	544.00	480,000	480,000	Acres	12/05
	Organic Enrichment/Low Dissolved Oxygen	544.00	480,000	75	Acres	12/11
Dolly Creek	Unknown Toxicity	544.00	480,000	480,000	Acres	12/11
	Copper	518.54	1	1	Miles	12/11
Dunn Creek	Zinc	518.54	1	1	Miles	12/11
	Mercury	543.00	9	9	Miles	12/11
Elder Creek	Metals	543.00	9	9	Miles	12/11
	Chlorpyrifos	519.12	10	10	Miles	12/11
Elk Grove Creek	Diazinon	519.12	10	10	Miles	12/11
	Diazinon	519.11	5	5	Miles	12/11
Fall River (Pit)	Sedimentation/Siltation	526.40	25	25	Miles	12/11
Feather River, Lower	Diazinon	519.22	60	60	Miles	12/11
	Group A Pesticides	519.22	60	60	Miles	12/11
	Mercury	519.22	60	60	Miles	12/11
	Unknown Toxicity	519.22	60	60	Miles	12/11
Five Mile Slough	Chlorpyrifos	544.00	2	1	Miles	12/11
	Diazinon	544.00	2	1	Miles	12/11
French Ravine	Bacteria	516.32	1	1	Miles	12/11
Grasslands Marshes	Electrical Conductivity	541.20	8,224	8,224	Acres	12/11
	Selenium	541.20	8,224	8,224	Acres	12/98
Harding Drain (Turlock Irr Dist Lateral #5)	Ammonia	535.50	7	7	Miles	12/11
	Chlorpyrifos	535.50	7	7	Miles	12/11
	Diazinon	535.50	7	7	Miles	12/11
	Unknown Toxicity	535.50	7	7	Miles	12/11
Harley Gulch	Mercury	513.51	8	8	Miles	12/11
Horse Creek	Cadmium	526.20	2	2	Miles	12/11
	Copper	526.20	2	2	Miles	12/11
	Lead	526.20	2	2	Miles	12/11
	Zinc	526.20	2	2	Miles	12/11
Humbug Creek	Copper	517.32	9	9	Miles	12/11
	Mercury	517.32	9	9	Miles	12/11
	Sedimentation/Siltation	517.32	9	9	Miles	12/11
	Zinc	517.32	9	9	Miles	12/11
James Creek	Mercury	512.24	6	6	Miles	12/11
	Nickel	512.24	6	6	Miles	12/11
Kanaka Creek	Arsenic	517.42	1	1	Miles	12/11
Keswick Res	Cadmium	524.40	650	200	Acres	12/11
	Copper	524.40	650	200	Acres	12/11
	Zinc	524.40	650	200	Acres	12/11
Kings River, Lower	Electrical Conductivity	551.90	95	30	Miles	12/11
	Molybdenum	551.90	95	30	Miles	12/11
	Toxaphene	551.90	95	30	Miles	12/11

[Return to Home Page](#)

[Return to Previous Page](#)

[Return to Top of Page](#)

Waterbody	Pollutant/Stressor	Hydro Unit ¹	Total Size ²	Affected Size ³	Units	TMDL End Date (Mo/Yr) ⁴
Little Backbone Creek	Acid Mine Drainage	506.20	3	1	Miles	12/11
	Cadmium	506.20	3	1	Miles	12/11
	Copper	506.20	3	1	Miles	12/11
	Zinc	506.20	3	1	Miles	12/11
Little Cow Creek	Cadmium	507.33	33	1	Miles	12/11
	Copper	507.33	33	1	Miles	12/11
	Zinc	507.33	33	1	Miles	12/11
Little Grizzly Creek	Copper	518.54	10	10	Miles	12/02
	Zinc	518.54	10	10	Miles	12/02
Lone Tree Creek	Ammonia	531.40	15	15	Miles	12/11
	Biological Oxygen Demand	531.40	15	15	Miles	12/11
	Electrical Conductivity	531.40	15	15	Miles	12/11
Marsh Creek	Mercury	543.00	24	24	Miles	12/11
	Metals	543.00	24	24	Miles	12/11
Marsh Creek Res	Mercury	543.00	375	375	Acres	12/11
Merced River, Lower	Chlorpyrifos	535.00	60	60	Miles	12/05
	Diazinon	535.00	60	60	Miles	12/05
	Group A Pesticides	535.00	60	60	Miles	12/11
Mokelumne River, Lower	Copper	531.20	28	28	Miles	12/11
	Zinc	531.20	28	28	Miles	12/11
Morrison Creek	Diazinon	519.12	20	20	Miles	12/11
Mosher Slough	Chlorpyrifos	544.00	3	2	Miles	12/11
	Diazinon	544.00	3	2	Miles	12/11
Mud Slough	Boron	541.20	16	16	Miles	12/11
	Electrical Conductivity	541.20	16	16	Miles	12/11
	Pesticides	541.20	16	16	Miles	12/11
	Selenium	541.20	16	16	Miles	12/00
	Unknown Toxicity	541.20	16	16	Miles	12/11
Natomas East Main Drain	Diazinon	519.22	12	5	Miles	12/11
	PCBs ⁶	519.22	12	12	Miles	12/11
Orestimba Creek	Chlorpyrifos	541.00	30	10	Miles	12/11
	Diazinon	541.00	30	10	Miles	12/11
	Unknown Toxicity	541.00	30	3	Miles	12/11
Panoche Creek	Mercury	542.40	50	25	Miles	12/11
	Sedimentation/Siltation	542.40	50	40	Miles	12/11
	Selenium	542.40	50	40	Miles	12/11
Pit River	Nutrients	506.00	200	100	Miles	12/11
	Organic Enrichment/Low Dissolved Oxygen	506.00	200	100	Miles	12/11
	Temperature	506.00	200	100	Miles	12/11
Sacramento River (Red Bluff to Delta)	Diazinon	500.00	185	30	Miles	12/05
	Mercury	500.00	185	30	Miles	12/05
	Unknown Toxicity	500.00	185	185	Miles	12/11
Sacramento River (Shasta Dam to Red Bluff)	Cadmium	508.10	50	40	Miles	12/01
	Copper	508.10	50	40	Miles	12/01
	Unknown Toxicity	508.10	50	50	Miles	12/11
	Zinc	508.10	50	40	Miles	12/01
Sacramento Slough	Diazinon	520.10	1	1	Miles	12/11
	Mercury	520.10	1	1	Miles	12/11
Salt Slough	Boron	541.20	21	15	Miles	12/11
	Chlorpyrifos	541.20	21	15	Miles	12/11
	Diazinon	541.20	21	15	Miles	12/11
	Electrical Conductivity	541.20	21	15	Miles	12/11
	Selenium	541.20	21	15	Miles	12/98
	Unknown Toxicity	541.20	21	15	Miles	12/11
San Carlos Creek	Mercury	542.20	1	1	Miles	12/11
San Joaquin River	Boron	544.00	330	130	Miles	12/99
	Chlorpyrifos	544.00	330	130	Miles	12/05
	DDT	544.00	330	130	Miles	12/11
	Diazinon	544.00	330	130	Miles	12/05
	Electrical Conductivity	544.00	330	130	Miles	12/99
	Group A Pesticides	544.00	330	130	Miles	12/11
	Selenium	544.00	330	50	Miles	12/00
	Unknown Toxicity	544.00	330	130	Miles	12/11

[Return to Home Page](#)

[Return to Previous Page](#)

[Return to Top of Page](#)

Waterbody	Pollutant/Stressor	Hydro Unit ¹	Total Size ²	Affected Size ³	Units	TMDL End Date (Mo/Yr) ⁴
Shasta Lake	Cadmium	506.10	29,500	20	Acres	12/11
	Copper	506.10	29,500	20	Acres	12/11
	Zinc	506.10	29,500	20	Acres	12/11
Spring Creek	Acid Mine Drainage	524.40	8	5	Miles	12/11
	Cadmium	524.40	8	5	Miles	12/11
	Copper	524.40	8	5	Miles	12/11
	Zinc	524.40	8	5	Miles	12/11
Stanislaus River, Lower	Diazinon	535.30	48	48	Miles	12/00
	Group A Pesticides	535.30	48	48	Miles	12/11
	Unknown Toxicity	535.30	48	48	Miles	12/11
Stockton Deep Water Channel	Dioxin	544.00		2	Miles	
	Furans	544.00		2	Miles	
	PCBs	544.00		2	Miles	
Strong Ranch Slough	Chlorpyrifos	519.21	5	5	Miles	12/11
	Diazinon	519.21	5	5	Miles	12/11
Sulfur Creek	Mercury	513.51	7	7	Miles	12/05
Temple Creek	Ammonia	531.40	10	10	Miles	12/11
	Electrical Conductivity	531.40	10	10	Miles	12/11
Town Creek	Cadmium	526.20	3	1	Miles	12/11
	Copper	526.20	3	1	Miles	12/11
	Lead	526.20	3	1	Miles	12/11
	Zinc	526.20	3	1	Miles	12/11
Tuolumne River, Lower	Diazinon	535.50	32	32	Miles	12/05
	Group A Pesticides	535.50	32	32	Miles	12/11
	Unknown Toxicity	535.50	32	32	Miles	12/11
West Squaw Creek	Cadmium	505.10	5	2	Miles	12/11
	Copper	505.10	5	2	Miles	12/11
	Lead	505.10	5	2	Miles	12/11
	Zinc	505.10	5	2	Miles	12/11
Whiskeytown Res	High Coliform Count	524.61	32,351	100	Acres	12/11
Willow Creek (Whiskeytown)	Acid Mine Drainage	524.63	15	3	Miles	12/11
	Copper	524.63	15	3	Miles	12/11
	Zinc	524.63	15	3	Miles	12/11

¹Hydro Unit = Hydrologic unit, area, and subarea boundary numbers defined on the California Watershed Map (CALWATER v2.2).

²Total Size = Total size of the identified waterbody.

³Affected Size = Portion of the waterbody not meeting water quality standards.

⁴TMDL End Date = Schedule for "completing and submitting" TMDLs [see 1998 Clean Water Listing Guidelines for California (August 11, 1997)].

⁵Group A pesticides = One or more of the Group A pesticides. The Group A pesticides include: aldrin, dieldrin, chlordane, endrin, heptachlor, heptachlor epoxide, hexachlorocyclohexane (including lindane), endosulfan and toxaphene.

⁶PCBs = Polychlorinated biphenyls.

[Return to Home Page](#)

[Return to Previous Page](#)

[Return to Top of Page](#)

Pollutant/Stressor	Waterbody	Hydro Unit ¹	Total Size ²	Affected Size ³	Units	TMDL End Date (Mo/Yr) ⁴
Acid Mine Drainage	Little Backbone Creek	506.20	3	1	Miles	12/11
	Spring Creek	524.40	8	5	Miles	12/11
	Willow Creek (Whiskeytown)	524.63	15	3	Miles	12/11
Ammonia	Harding Drain (Turlock Irr Dist Lateral #5)	535.50	7	7	Miles	12/11
	Lone Tree Creek	531.40	15	15	Miles	12/11
	Temple Creek	531.40	10	10	Miles	12/11
Arsenic	Kanaka Creek	517.42	1	1	Miles	12/11
Bacteria	French Ravine	516.32	1	1	Miles	12/11
Biological Oxygen Demand	Lone Tree Creek	531.40	15	15	Miles	12/11
Boron	Mud Slough	541.20	16	16	Miles	12/11
	Salt Slough	541.20	21	15	Miles	12/11
	San Joaquin River	544.00	330	130	Miles	12/99
Cadmium	Horse Creek	526.20	2	2	Miles	12/11
	Little Backbone Creek	506.20	3	1	Miles	12/11
	Little Cow Creek	507.33	33	1	Miles	12/11
	Keswick Res	524.40	650	200	Acres	12/11
	Sacramento River (Shasta Dam to Red Bluff)	508.10	50	40	Miles	12/01
	Shasta Lake	506.10	29,500	20	Acres	12/11
	Spring Creek	524.40	8	5	Miles	12/11
	Town Creek	526.20	3	1	Miles	12/11
	West Squaw Creek	505.10	5	2	Miles	12/11
Carbofuran/Furadan	Colusa Drain	520.21	70	70	Miles	12/11
Chlorpyrifos	Arcade Creek	519.21	10	10	Miles	12/11
	Chicken Ranch Slough	519.21	5	5	Miles	12/11
	Delta Waterways	544.00	480,000	480,000	Acres	12/05
	Elder Creek	519.12	10	10	Miles	12/11
	Five Mile Slough	544.00	2	1	Miles	12/11
	Harding Drain (Turlock Irr Dist Lateral #5)	535.50	7	7	Miles	12/11
	Merced River, Lower	535.00	60	60	Miles	12/05
	Mosher Slough	544.00	3	2	Miles	12/11
	Orestimba Creek	541.00	30	10	Miles	12/11
	Salt Slough	541.20	21	15	Miles	12/11
	San Joaquin River	544.00	330	130	Miles	12/05
	Strong Ranch Slough	519.21	5	5	Miles	12/11
	Copper	Dolly Creek	518.54	1	1	Miles
Horse Creek		526.20	2	2	Miles	12/11
Humbug Creek		517.32	9	9	Miles	12/11
Keswick Reservoir		524.40	650	200	Acres	12/11
Little Backbone Creek		506.20	3	1	Miles	12/11
Little Cow Creek		507.33	33	1	Miles	12/11
Little Grizzly Creek		518.54	10	10	Miles	12/02
Mokelumne River, Lower		531.20	28	28	Miles	12/11
Sacramento River (Shasta Dam to Red Bluff)		508.10	50	40	Miles	12/01
Shasta Lake		506.10	29,500	20	Acres	12/11
Spring Creek		524.40	8	5	Miles	12/11
Town Creek		526.20	3	1	Miles	12/11
West Squaw Creek		505.10	5	2	Miles	12/11
Willow Creek (Whiskeytown)		524.63	15	3	Miles	12/11
DDT		Delta Waterways	544.00	480,000	480,000	Acres
	San Joaquin River	544.00	330	130	Miles	12/11

[Return to Home Page](#)

[Return to Previous Page](#)

[Return to Top of Page](#)

Waterbody	Hydro Unit ¹	Total Size ²	Affected Size ³	Units	TMDL End Date (Mo/Yr) ⁴	
Arcade Creek	519.21	10	10	Miles	12/11	
Chicken Ranch Slough	519.21	5	5	Miles	12/11	
Delta Waterways	544.00	480,000	480,000	Acres	12/05	
Elder Creek	519.12	10	10	Miles	12/11	
Elk Grove Creek	519.11	5	5	Miles	12/11	
Feather River, Lower	519.22	60	60	Miles	12/11	
Five Mile Slough	544.00	2	1	Miles	12/11	
Harding Drain (Turlock Irr Dist Lateral #5)	535.50	7	7	Miles	12/11	
Merced River, Lower	535.00	60	60	Miles	12/05	
Morrison Creek	519.12	20	20	Miles	12/11	
Mosher Slough	544.00	3	2	Miles	12/11	
Natomas East Main Drain	519.22	12	5	Miles	12/11	
Orestimba Creek	541.00	30	10	Miles	12/11	
Sacramento River (Red Bluff to Delta)	500.00	185	30	Miles	12/05	
Sacramento Slough	520.10	1	1	Miles	12/11	
Salt Slough	541.20	21	15	Miles	12/11	
San Joaquin River	544.00	330	130	Miles	12/05	
Stanislaus River, Lower	535.30	48	48	Miles	12/00	
Strong Ranch Slough	519.21	5	5	Miles	12/11	
Tuolumne River, Lower	535.50	32	32	Miles	12/05	
Dioxin	Stockton Deep Water Channel	544.00	2	Miles		
Electrical Conductivity	Delta Waterways	544.00	480,000	16,000	Acres	12/11
	Grasslands Marshes	541.20	8,224	8,224	Acres	12/11
	Kings River, Lower	551.90	95	30	Miles	12/11
	Lone Tree Creek	531.40	15	15	Miles	12/11
	Mud Slough	541.20	16	16	Miles	12/11
	Salt Slough	541.20	21	15	Miles	12/11
	San Joaquin River	544.00	330	130	Miles	12/99
	Temple Creek	531.40	10	10	Miles	12/11
Furans	Stockton Deep Water Channel	544.00	2	Miles		
Group A Pesticides ⁵	Delta Waterways	544.00	480,000	480,000	Acres	12/11
	American River, Lower	519.21	30	23	Miles	12/11
	Colusa Drain	520.21	70	70	Miles	12/11
	Feather River, Lower	519.22	60	60	Miles	12/11
	Merced River, Lower	535.00	60	60	Miles	12/11
	San Joaquin River	544.00	330	130	Miles	12/11
	Stanislaus River, Lower	535.30	48	48	Miles	12/11
	Tuolumne River, Lower	535.50	32	32	Miles	12/11
High Coliform Count	Whiskeytown Res	524.61	32,351	100	Acres	12/11
Lead	Horse Creek	526.20	2	2	Miles	12/11
	Town Creek	526.20	3	1	Miles	12/11
	West Squaw Creek	505.10	5	2	Miles	12/11
Malathion	Colusa Drain	520.21	70	70	Miles	12/11
Mercury	American River, Lower	519.21	30	23	Miles	12/11
	Berryessa Lake	512.21	20,700	20,700	Acres	12/05
	Cache Creek	511.30	60	35	Miles	12/05
	Clear Lake	513.52	43,000	43,000	Acres	12/05
	Davis Creek Res	513.32	290	290	Acres	12/11
	Delta Waterways	544.00	480,000	480,000	Acres	12/05
	Dunn Creek	543.00	9	9	Miles	12/11
	Feather River, Lower	519.22	60	60	Miles	12/11
	Harley Gulch	513.51	8	8	Miles	12/11
	Humbug Creek	517.32	9	9	Miles	12/11
	James Creek	512.24	6	6	Miles	12/11
	Marsh Creek	543.00	24	24	Miles	12/11
	Marsh Creek Res	543.00	375	375	Acres	12/11
	Panoche Creek	542.40	50	25	Miles	12/11
	Sacramento River (Red Bluff to Delta)	500.00	185	30	Miles	12/05
	Sacramento Slough	520.10	1	1	Miles	12/11
	San Carlos Creek	542.20	1	1	Miles	12/11
	Sulfur Creek	513.51	7	7	Miles	12/05

[Return to Home Page](#)

[Return to Previous Page](#)

[Return to Top of Page](#)

Pollutant/Stressor	Waterbody	Hydro Unit ¹	Total Size ²	Affected Size ³	Units	TMDL End Date (Mo/Yr) ⁴
Metals	Dunn Creek	543.00	9	9	Miles	12/11
	Marsh Creek	543.00	24	24	Miles	12/11
Methyl Parathion	Colusa Drain	520.21	70	70	Miles	12/11
Molybdenum	Kings River, Lower	551.90	95	30	Miles	12/11
Nickel	James Creek	512.24	6	6	Miles	12/11
Nutrients	Clear Lake	513.52	43,000	43,000	Acres	12/11
	Pit River	506.00	200	100	Miles	12/11
Organic Enrichment/Low Dissolved Oxygen	Delta Waterways	544.00	480,000	75	Acres	12/11
	Pit River	506.00	200	100	Miles	12/11
PCBs ⁶	Natomas East Main Drain	519.22	12	12	Miles	12/11
	Stockton Deep Water Channel	544.00		2	Miles	
Pesticides	Mud Slough	541.20	16	16	Miles	12/11
Sedimentation/Siltation	Fall River (Pit)	526.40	25	25	Miles	12/11
	Humbug Creek	517.32	9	9	Miles	12/11
	Panoche Creek	542.40	50	40	Miles	12/11
Selenium	Grasslands Marshes	541.20	8,224	8,224	Acres	12/98
	Mud Slough	541.20	16	16	Miles	12/00
	Panoche Creek	542.40	50	40	Miles	12/11
	Salt Slough	541.20	21	15	Miles	12/98
	San Joaquin River	544.00	330	50	Miles	12/00
Temperature	Pit River	506.00	200	100	Miles	12/11
Toxaphene	Kings River, Lower	551.90	95	30	Miles	12/11
Unknown Toxicity	American River, Lower	519.21	30	23	Miles	12/11
	Cache Creek	511.30	60	35	Miles	12/11
	Colusa Drain	520.21	70	70	Miles	12/11
	Delta Waterways	544.00	480,000	480,000	Acres	12/11
	Feather River, Lower	519.22	60	60	Miles	12/11
	Harding Drain (Turlock Irr Dist Lateral #5)	535.50	7	7	Miles	12/11
	Mud Slough	541.20	16	16	Miles	12/11
	Orestimba Creek	541.00	30	3	Miles	12/11
	Sacramento River (Red Bluff to Delta)	500.00	185	185	Miles	12/11
	Sacramento River (Shasta Dam to Red Bluff)	508.10	50	50	Miles	12/11
	Salt Slough	541.20	21	15	Miles	12/11
	San Joaquin River	544.00	330	130	Miles	12/11
	Stanislaus River, Lower	535.30	48	48	Miles	12/11
	Tuolumne River, Lower	535.50	32	32	Miles	12/11

[Return to Home Page](#)

[Return to Previous Page](#)

[Return to Top of Page](#)

Pollutant/Stressor	Waterbody	Hydro Unit ¹	Total Size ²	Affected Size ³	Units	TMDL End Date (Mo/Yr) ⁴
Zinc	Dolly Creek	518.54	1	1	Miles	12/11
	Horse Creek	526.20	2	2	Miles	12/11
	Humbug Creek	517.32	9	9	Miles	12/11
	Keswick Res	524.40	650	200	Acres	12/11
	Little Backbone Creek	506.20	3	1	Miles	12/11
	Little Cow Creek	507.33	33	1	Miles	12/11
	Little Grizzly Creek	518.54	10	10	Miles	12/02
	Mokelumne River, Lower	531.20	28	28	Miles	12/11
	Sacramento River (Shasta Dam to Red Bluff)	508.10	50	40	Miles	12/01
	Shasta Lake	506.10	29,500	20	Acres	12/11
	Spring Creek	524.40	8	5	Miles	12/11
	Town Creek	526.20	3	1	Miles	12/11
	West Squaw Creek	505.10	5	2	Miles	12/11
	Willow Creek (Whiskeytown)	524.63	15	3	Miles	12/11

¹Hydro Unit = Hydrologic unit, area, and subarea boundary numbers defined on the California Watershed Map (CALWATER v2.2).

²Total Size = Total size of the identified waterbody.

³Affected Size = Portion of the waterbody not meeting water quality standards.

⁴TMDL End Date = Schedule for "completing and submitting" TMDLs [see 1998 Clean Water Listing Guidelines for California (August 11, 1997)].

⁵Group A pesticides = One or more of the Group A pesticides. The Group A pesticides include: aldrin, dieldrin, chlordane, endrin, heptachlor, heptachlor epoxide, hexachlorocyclohexane (including lindane), endosulfan and toxaphene.

⁶PCBs = Polychlorinated biphenyls.

[Return to Home](#)
[Page](#)

[Return to Previous](#)
[Page](#)

[Return to Top](#)
[of Page](#)



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION IX

75 Hawthorne Street

San Francisco, CA 94105-3901

FAX MESSAGE

TO: Matt St. John NCRWQCB 707-523-0135
 Tom Mumley SFRWQCB 510-622-2460
 Angela Carpenter CCRWQCB 805-543-0397
 Renee DeShazoo LARWQCB 213-576-6686
 ✓ Joe Karkoski CVRWQCB 916-255-3015
 Judith Unskcker LRWQCB 530-544-2271
 Theresa Newkirk CRRWQCB 760-341-6820
 Pavlova Vitale SARWQCB 909-781-6288
 Keri Cole SDRWQCB 858-571-6972
 Stan Martinson SWRCB 916-341-5463

FROM: David Smith *Dave Smith*
 TMDL Team Leader
 EPA Region 9
 75 Hawthorne Street
 San Francisco, CA 94105
 415-744-2012
smith.davidw@epa.gov

May 15, 2001

Attached is a copy of a letter from me to Stan Martinson sent in response to the State's request for data and information to be considered in the 2002 Section 303(d) listing process. Because we identified a cross-cutting list of data and information sources which we believed were important to consider, we prepared a single letter to Stan and are sending copies to each of the Regional Boards. We look forward to working with you on the list revision process. Please don't hesitate to call if you have questions, and thanks for your efforts on this difficult process.



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION IX

75 Hawthorne Street

San Francisco, CA 94105-3901

May 15, 2001

Mr. Stan Martinson
Division of Water Quality
State Water Resources Control Board
1001 I Street
Sacramento, CA 95814

Dear Mr. Martinson:

EPA appreciates the State of California's effort to initiate public solicitation of water quality related information in preparation for the 2002 Section 303(d) submission, pursuant to federal Clean Water Act (CWA) Section 303(d). The purposes of this letter are to (1) identify water quality data and information sources which are required to be or should be considered by the State as part of the listing process and (2) summarize federally required elements of the Section 303(d) list submission due April 1, 2002. We understand that the Regional Board staffs are compiling data and information for use in the listing process and are initiating the assessment process; therefore, copies of this letter will be sent to the listing coordinators for each Regional Board with the expectation that each Regional Board will consider the information in the letter.

Data and Information Sources

Federal regulations require that states "assemble and evaluate all existing and readily available water quality-related data and information" to develop the revised list (40 CFR 130.7(b)(5)). We expect that in the listing submittal, the State will document its efforts to assemble and evaluate data and information for this purpose. At a minimum, "all existing and readily available water quality-related data and information" includes but is not limited to all of the existing and readily available data and information about the following categories of waters:

- Waters identified by the State as "partially meeting" or "not meeting" designated uses or as "threatened" in California's 2000 Section 305(b) Report on Water Quality (State Water Resources Control Board, October 2000);
- Waters for which dilution calculations or predictive models indicate non-attainment of applicable water quality standards;
- Waters for which water quality problems have been reported by local, state, or federal agencies; members of the public; or academic institutions; and
- Waters identified by the State as impaired or threatened in a nonpoint assessment submitted to EPA under section 319 of the CWA or in any updates of the assessment (40 CFR 130.7(b)(5)).

EPA also requests that the State compile and consider water quality data and information from the following sources which we believe may be existing and readily available:

- Drinking water source water assessments where the assessment results demonstrate for one or more pollutants regulated as drinking water contaminants that (i) a water quality standard has been exceeded, or is at risk of being exceeded, or (ii) the concentration of a pollutant has increased since use of the waterbody as a public water supply began;
- Data and information compiled by State and Regional Water Board staff in connection with the Mussel Watch and other monitoring programs, enforcement and surveillance actions, TMDL development, and other programmatic activities;
- Risk assessments or other analyses developed in support of fish consumption or swimming advisories;
- Trend analyses contained in water quality assessment or planning reports which assess the physical, chemical or biological integrity of streams, rivers, lakes, and estuaries;
- Beach and shoreline monitoring performed by State and local Environmental Health Services Departments,
- Sediment and water quality-related testing and analyses conducted by governmental, industrial and academic organizations. For example, readily available data and information may be found in :
 - Clean Water Act Section 404 permit applications and supporting documentation;
 - reports and studies completed by the Army Corps of Engineers;
 - hazardous waste site assessments conducted by the EPA Superfund program and California Department of Toxic Substances Control;
 - plans and studies developed pursuant to the Clean Water Act National Estuary Program;
 - investigative reports and public notices developed by the U.S. Fish and Wildlife Service, National Marine Fisheries Service (NOAA), and State Department of Fish and Game; and
 - data and reports developed by USGS, including reports concerning the four basins addressed in NAWQA projects (Santa Ana, San Joaquin-Tulare, Sacramento, and Nevada Basin and Range).
- Data contained in EPA's STORET database,
- Data collected by California Department of Pesticide Regulation, Department of Water Resources, Department of Forestry and Fire Protection, and other State agencies;
- Ambient water quality data collected and reported pursuant to NPDES permit requirements for traditional point sources as well as stormwater dischargers.

To assist the State in identifying academic studies and reports which contain relevant data and analysis which would assist in the 303(d) assessment process, we also suggest that the State

should take advantage of available journal abstract data bases. For example, the State should identify the scientific literature abstracted in the Aquatic Sciences and Fisheries Abstracts, Aquatic Pollution & Environmental Quality ("ASFA 3") database within the last two years and indexed with the keyword "California" or any of the State's principal waterbodies; review those abstracts to identify the documents that are reasonably likely to include data relevant to the listing or delisting of the State's waters; and, among those documents, review those that are readily available.

Methodology for Listing and Submittal Requirements

The State is required to provide thorough documentation explaining the basis for its decisions to list or not to list its waters (40 CFR 130.7(c)(6)). The documentation must include, at a minimum:

- a description of the methodology used to develop the list;
- a description of the data and information used to identify waters;
- a rationale for any decision to not use any existing and readily available data and information for any one of the categories of waters as described in 40 CFR 130.7(b)(5); and
- any other reasonable information requested by (EPA). Upon request by (EPA), each State must demonstrate good cause for not including a water or waters on the list.

EPA requests that the State's submission describe the specific basis for any decision to remove any waterbody-pollutant combination found on the 1998 303(d) list from the 2002 list.

Other Requirements of the Listing Submittal

The 303(d) list submittal must identify the pollutant(s) of concern and priority ranking for TMDL development for all waterbody-pollutant combinations included on the 2002 list along with the State's rationale for the priority ranking decision (40 CFR 130.7(b)(4)). The submittal must also identify the waters and pollutants targeted for TMDL development in the next two years (40 CFR 130.7(b)(4)).

TMDL Schedule Revisions

Pursuant to the provisions of EPA's 1997 policy concerning TMDL schedules, the State should revise its schedules for completing and submitting for EPA approval the TMDLs for all waterbody-pollutant combinations. Generally, TMDLs should be scheduled for completion within 8-13 years of the date the waterbody-pollutant combination was listed or the date of the 1998 Section 303(d) list submission, whichever is later. We expect that the revised schedule will provide a firm timetable for submission of State-adopted TMDLs for EPA approval which will guide the operation of California's TMDL program in the future.

Conclusion

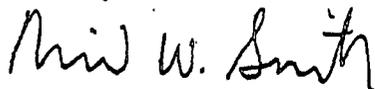
We understand the State's desire to make its listing decisions in a manner which is consistent with State administrative process requirements and thereby avoids "underground rule-making" challenges. We understand that the State has no current plans to develop a formal methodology in advance to guide decision making on waterbody listing, priority ranking, and TMDL targeting and scheduling. We recommend that the State consider the listing guidelines developed by State Board, Regional Board, and EPA staff in conjunction with the 1998 listing process as a viable starting point for the 2002 listing process. In addition, we recommend that the State consider existing and forthcoming EPA national guidance concerning Section 303(d) listing and Section 305(b) assessments. We would be happy to provide copies of existing EPA guidance upon request. We also anticipate providing additional guidance to assist with the 2002 Section 303(d) listing decisions in the coming months.

We are concerned that in an effort to avoid potential listing challenges based on underground rulemaking concerns, the State may not be organizing its listing process in a way which will ensure that the federal listing requirements are met. Specifically, we would like to underscore the importance of ensuring that the following federal requirements are met:

- Demonstration that the State has solicited and considered all existing and readily available information, including the categories identified in 40 CFR 130.7(b)(5);
- Description of the State's listing methodology, including decision rules applied in reviewing different types of data and information to interpret numeric and narrative water quality standards;
- Documentation explaining how the listing methodology was applied for individual waters;
- Justification of decisions to not consider certain sources of readily available data and information;
- Demonstration that the State's overall approach to listing decisions and specific decision rules provide a reasonable level of consistency among listing decisions; and
- Description of the basis for priority ranking and targeting decisions.

We hope this list of data and information sources and discussion of existing listing requirements assist in your assessment efforts. We look forward to working with the Regional Boards and your staff as the listing process proceeds. If you have questions concerning this letter, please call me at (415) 744-2012.

Sincerely,



David Smith
TMDL Team Leader (WTR-2)

cc: RWQCB Listing Coordinators



California Regional Water Quality Control Board

Central Valley Region

Robert Schneider, Chair



Winston H. Hickox
Secretary for
Environmental
Protection

Gray Davis
Governor

Sacramento Main Office

Internet Address: <http://www.swrcb.ca.gov/rwqcb5>
3443 Routier Road, Suite A, Sacramento, California 95827-3003
Phone (916) 255-3000 • FAX (916) 255-3015

TO: Diane Beaulaurier

FROM: Gene Davis
Assoc. Eng. Geol.
Sacramento Pesticides TMDL Unit

DATE: Aug. 24, 2001

SIGNATURE: Gene Davis

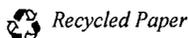
SUBJECT: TRANSMITTAL OF 2002 303(d) LIST SOLICITATION RESPONSE INFORMATION

This transmittal letter accompanies:

- 1) A list describing copies of materials received in response the State and Regional boards' 2001 solicitation for information regarding the 2002 303(d) list; and
- 2) Copies of those materials received (as described in the list described above) that contain information relevant to the 2002 303(d) list.

If you have any questions, please call me at 255-3387.

California Environmental Protection Agency



Solicitation Responses with Data or Information for the 2002 303(d) List Update

Response Designation	Author	Description/ Title	Date	Data/Information Source	Submitting Agency/Contact
R2 - a	Larry Joyce	Cover letter	Feb. 28, 2001	DWR	DWR (Larry Joyce, 916-653-7213)
R2 - b	Montoya, BL	Water Quality Assessment of the State Water Project, 1996-1997.	June 21, 1995 Sept. 1999	DWR	DWR (Larry Joyce, 916-653-7213)
R2 - c	Montoya, BL	Water Quality Assessment of the State Water Project, 1998-99.	June 22, 1995 July 2000	DWR	DWR (Larry Joyce, 916-653-7213)
R4	Ruby B. Messersmith	Letter states: "Please be informed, the North Edwards Water District pumps from two wells, no surface water."	Feb. 26, 2001	North Edwards Water District	Ruby B. Messersmith, President Board of Directors
R17 - a	Larsen K, M McGraw, V Connor, L Deanovic, T kimball, D Hinton	Cache Creek and Putah Creek Watersheds: TOXICITY MONITORING RESULTS 1998 - 1999: FINAL REPORT.	Nov. 2000	CVRWQCB	Tom To, Yolo County Health Department
R23 - a-b	Tierney D., J. Giddings, L. Hall, et al	An Ecological Risk Assessment of Diazinon in the Sacramento and San Joaquin River Basins.	June 19, 1995 Nov. 1997	written by: Novartis Crop Production, Inc.	Info by: Bill Killen wk23@umail.umd.edu
R26 - a	Sierra Nevada Alliance	Disk/letter of information.	March 26, 2001	Sierra Nevada Alliance	Sierra Nevada Alliance, Phil Chang (watershed coordinator), sierran3@sierra.net, 530-542-4546
R26 - b	USGS	Mercury Contamination from Historic Gold Mining in California.	2001?	Sierra Nevada Alliance	Sierra Nevada Alliance, Phil Chang (watershed coordinator), sierran3@sierra.net, 530-542-4546
R29 - a,b	Lawrence Livermore National Laboratory	Cover letter and data [hardcopy and floppy]	NA	Lawrence Livermore National Laboratory	Chris Campbell, campbell48@llnl.gov, 925-423-7642
R30 - a	Roth, Julie	Cover letter to Mr. Karkoski from Julie Roth.	April, 2000	DSCSOC	DSCSOC, Jroth916@aol.com, 530-753-9447
R30 - b	G. F. LEE, A. JONES - LEE	"To individuals interested in hazardous chemical bioassimilation in Putah Creek fish".	April, 1999	G. FRED LEE & ASSOC	DSCSOC, Jroth916@aol.com, 530-753-9446
R30 - c	Agency for Toxic Substance and Disease Registry	Health Consultation, Fish Sampling in Putah Creek 1996, Laboratory for Energy-Related Health Research, Davis, California dated April 4, 1997	April, 1997	Agency for Toxic Substance and Disease Registry	DSCSOC, Jroth916@aol.com, 530-753-9446
R30 - d	G. F. LEE, A. JONES - LEE	Comments on Follow up Sampling and Analysis Guidelines for Fish, Sediment, and Water Sampling from the Putah Creek Adjacent to the Former Laboratory for Energy-Related Health Research, Davis, CA. Draft 2.2 dated September 17, 1997. Prepared by B Lloyd and S Telofski, US EPA-NAREL, Montgomery, AL	Oct. 1997	G. FRED LEE & ASSOC	DSCSOC, Jroth916@aol.com, 530-753-9447
R30 - e	Agency for Toxic Substance and Disease Registry	Health Consultation, Fish Sampling in Putah Creek 1996, Laboratory for Energy-Related Health Research, Davis, California dated September 17, 1998	Sept. 1998	Agency for Toxic Substance and Disease Registry	DSCSOC, Jroth916@aol.com, 530-753-9447
R30 - f	G. F. LEE, A. JONES - LEE	Comments on US Department of Health and Human Services Public Health Service, Agency for Toxic Substance and Disease Registry, Draft Health Consultation, Fish Sampling of Putah Creek (Phase II) for the LEHR National Superfund Site, dated September 16, 1998	September 16, 1998	G. FRED LEE & ASSOC	DSCSOC, Jroth916@aol.com, 530-753-9448
R30 - g	G. F. LEE, A. JONES - LEE	Letter to Gary Carlton, Executive Director, CVRWQCB from G. Fred Lee	Oct, 1998	G. FRED LEE & ASSOC	DSCSOC, Jroth916@aol.com, 530-753-9449
R30 - h	Roth, Julie	Letter to William Taylor, PhD, Agency for Toxic Substance and Disease Registry, from Julie Roth.	Sept. 1998	DSCSOC	DSCSOC, Jroth916@aol.com, 530-753-9447
R30 - i	Roth, Julie	Letter to Gary Carlton from Julie Roth.	Oct. 1997	DSCSOC	DSCSOC, Jroth916@aol.com, 530-753-9447
R30 - j	Roth, Julie	Letter to Mr. and Mrs. Corsella from Julie Roth.	Feb. 2000	DSCSOC	DSCSOC, Jroth916@aol.com, 530-753-9447
R30 - k	Slotton D, S Ayers, J Reuter, and C Goldman	Lower Putah Creek 1997-1998 Mercury Biological Distribution Study.	February 1, 1999	Dept. of Envir. Health and Safety, UCD	DSCSOC, Jroth916@aol.com, 530-753-9447
R31 - a-b	Colusa, City of	Report of Waste Discharge Application for the City of Colusa (Submitted to Kyle Erickson, CRWQCB-CVR)	March 1, 2001	City of Colusa	City of Colusa, Ron Loudon (water/sewer superintendent), 530-458-4941
R31 - c	Colusa, City of	Powell Slough Water Sample Data, 1993-1997	March 1, 2001	City of Colusa	City of Colusa, Ron Loudon (water/sewer superintendent), 530-458-4941
R32 - a-d	Kern County Water Agency	Cover letter and 1998, 1999, and 2000 annual source water quality reports [hardcopy & floppy]	April 20, 2001	Kern County Water Agency	Paul Wagner, Laboratory Supervisor

Solicitation Responses with Data or Information for the 2002 303(d) List Update

Response Designation	Author	Description/ Title	Date	Data/Information Source	Submitting Agency/Contact
R33 - a	Coate, AR	Cover letter to Mr Karkoski, from Coate, AR	April 1, 2001	East Bay Municipal Utility District, 510-835-3000	East Bay Municipal Utility District, 510-835-3000
R33 - b	William Abbott and Assoc.	Letter to Greg Vaughn, CVRWQCB, Re; Notice of Emergency Remediation Measures Gwin Mine, Calaveras County, California.	January 1, 1997	William Abbott and Assoc.	William Abbott and Assoc, wwabbott@cwo.com, through East Bay Municipal Utility District 510-835-3000
R33-c	Walker, WJ	Notice of Emergency Remediation Measures Preliminary Report.	January 1, 1997	SECOR International, Inc	East Bay Municipal Utility District, 510-835-3000
R33 - d	CH2MHill	Post-Restoration Final Effectiveness Monitoring Report, Penn Mine Environmental Restoration Project (prepared for East Bay Municipal Utility District and RWQCB-CVR)	December 1, 2000	CH2MHill	East Bay Municipal Utility District, 510-835-3000
R33 - e	CH2MHill	Second Interim Effectiveness Monitoring Report, Penn Mine Environmental Restoration Project (prepared for East Bay Municipal Utility District and RWQCB-CVR)	July 1, 1999	CH2MHill	East Bay Municipal Utility District, 510-835-3000
R35 - a	CDPR	Memo to RWQCB, with a series of web sites to visit (see letter)	April 1, 2001	DPR	DPR- Paul E Helliker, 916-455-4000
R36 - a	CVRWQCB	Clear Lake TMDL for Mercury Numeric Target Report-Preliminary Draft (not enclosed)	August 1, 2000	CVRWQCB	County of Lake, Alex Straessle, 707-263-2341
R36 - a	Lake, County of	Clear Lake Watershed Assurance (QA) Plan for the Clear Lake Basin Watershed-Assessment (205j) Project (not enclosed)	June 21, 1905	County of Lake	County of Lake, Alex Straessle, 707-263-2341
R36 - a	Lake, County of	Lake County 303(d) information: D:\water\lakedata\lakedata.mdb	NA	County of Lake	County of Lake, Alex Straessle, 707-263-2341
R36 - a	Lake, County of	Scotts Creek Watershed Project (319h) (not enclosed).	June 19, 1905 1992-1997	County of Lake	County of Lake, Alex Straessle, 707-263-2341
R36 - a	Lake, County of	Clear Lake Watershed Analysis (205j) (not enclosed).	June 21, 1905 1982-1998	County of Lake	County of Lake, Alex Straessle, 707-263-2341
R36 - a,c	CDWR	Clear Lake Sampling data. (core sampling may be enclosed, but nothing else is).	Cont	County of Lake	County of Lake, Alex Straessle, 707-263-2341
R36 - b	Lake, County of, and Mendocino National Forest	Watershed Analysis Report, Upper Lake Watershed (only part included).	NA Sept. 1999	County of Lake	FOR REPORT CONTACT: Vickie Stoll, MNF, 530-934-7724 County of Lake, Alex Straessle, 707-263-2342
R36-c	Lake, County of	Clear Lake Core Data from DWR Clear Lake Sampling Sites (part of Clear Lake Sampling data).	Cont 1995-1999	County of Lake	County of Lake, Alex Straessle, 707-263-2341
R36 - d	Lake, County of	Creek Water Quality Samples/Stream Sampling Data for Lake county, Ca.	Cont 1992-2000	County of Lake	County of Lake, Alex Straessle, 707-263-2341
R36 - e,f	Thibeau, D	Quality Assurance Project Plan (Category III) Clear Lake Basin Watershed Assessment (and Approval).	June 19, 1905 Oct. 1997	DWR?	County of Lake, Alex Straessle, 707-263-2341
R36 - f	Lake, County of	Methods and Information about the County Clear Lake Database: D:\water\lakedata\lakedata.mdb Access 97	NA Oct. 1997	County of Lake	County of Lake, Alex Straessle, 707-263-2341
R37 - a	Walt Pettit	Cover letter (hard copy & floppy) for CUWA response submittal	May 8, 2001	California Urban Water Agencies	California Urban Water Agencies, Walt Pettit, 916-552-2929
R37 - b	Fuji, Ranalli, Aiken, and Bergamaschi	Dissolved Organic Carbon Concentrations and Compositions, and Trihalomethane Formation Potentials in Waters from Agricultural Peat Soils, Sac-SJ Delta, Ca: Implications for Drinking-Water Quality (Report 98-4147)	June 20, 1905 1998	UGSG, DWR	California Urban Water Agencies, Walt Pettit, 916-552-2929
R37 - c	Commandatore AM, Herren, Main, Santillan, Connor, Grovhoug, and Horford	1997 Compendium of Water Quality Investigations in the Sacramento River Watershed, Sacramento-SJ delta, and SF Bay Area	June 20, 1905 August 1990	Ca DWR	California Urban Water Agencies, Walt Pettit, 916-552-2929
R38 - a	Redding, City of	Cover letter from M. Ames to Joe Karkoski.	May 14, 2001	City of Redding	City of Redding, Marcia Ames, 530-224-6049
R38 - b	Redding, City of	Data Set: Ca, Cu, and Zn in Sacramento River (graphs and data).	May 14, 2001	City of Redding	City of Redding, Marcia Ames, 530-224-6049
R39	Will Doleman	Cover letter an portion of report and FAX w/ data (full report and video tape not included to SWRCB)	March 5, 2001 and May 16, 2001	A Call for Water Sanity! Monitoring Group	Will Doleman, ACFWS monitoring, 530-272-6421

Solicitation Responses with Data or Information for the 2002 303(d) List Update

Response Designation	Author	Description/Title	Date	Data/Information Source	Submitting Agency/Contact
R40	PANNA	Cover letter, list of data DPR Surface Water DB "exceedances", and floppy of email submittals	June 29, 2001	PANNA	PANNA, Stephan Orme, StephanOrme@panna.org, 415-981-6205 ext 308
R41 - a	Contra Costa Water District	Cover letter	May 15, 2001	Contra Costa Water District	Contra Costa Water District, Lisa Holmes (925-688-8106) or Richard Denton (925-688-8187)
R41 - b	Contra Costa Water District	Adverse impacts to CCWD caused by increased salinity and concentrations of organic carbon and other constituents of concern at CCWD's intakes	May 15, 2001	Contra Costa Water District	Contra Costa Water District, Lisa Holmes (925-688-8106) or Richard Denton (925-688-8187)
R41 - c	Contra Costa Water District	Your Drinking Water, Annual Water Quality Report 1999	June 21, 1995 1999	Contra Costa Water District	Contra Costa Water District, Lisa Holmes (925-688-8106) or Richard Denton (925-688-8187)
R41 - d	Contra Costa Water District	Your Drinking Water, A Report on the Quality of Your Tap Water, Annual Water Quality Report 1998	June 20, 1995 1998	Contra Costa Water District	Contra Costa Water District, Lisa Holmes (925-688-8106) or Richard Denton (925-688-8187)
R41 - e	Contra Costa Water District	Your Drinking Water, Annual Water Quality Report 1997	June 19, 1995 1997	Contra Costa Water District	Contra Costa Water District, Lisa Holmes (925-688-8106) or Richard Denton (925-688-8187)
R41 - f	Contra Costa Water District	Municipal water quality investigation, independent data at a variety of CCWD locations	May 15, 2001	Contra Costa Water District	Contra Costa Water District, Lisa Holmes (925-688-8106) or Richard Denton (925-688-8187)
R41 - g,h	Contra Costa Water District	Cover letter and Salinity Survey of the Contra Costa Canal, Report to DHS	May 30, 1997	Contra Costa Water District	Contra Costa Water District, Lisa Holmes (925-688-8106) or Richard Denton (925-688-8187)
R42 - a	Mary James	Cover letter for SRCSD submittal	May 15, 2001	SRCSD	SRCSD, (916) 876-6000
R42 - b	LARRY WALKER ASSOCIATES	Sacramento River Watershed Program Annual Monitoring Report: 1999-2000 (Administrative Draft) Annual Report.	January 1, 2001	SRWP, LARRY WALKER ASSOCIATES	SRCSD, Andrew Frankel, 916-876-6028, frankela@sacounty.net
R42 - c	LARRY WALKER ASSOCIATES	Sacramento River Coordinated Monitoring Program, 1999-2000 Annual Report.	NOV. 2000	SRWP, LARRY WALKER ASSOCIATES	SRCSD, Andrew Frankel, 916-876-6028, fankela@sacounty.net
R43	Kern County Neighbors for Quality Air, Water and Growth	Cover letter "Public Comments on Water Quality Information"	May 11, 2001	Kern County Neighbors for Quality Air, Water and Growth	Kern County Neighbors for Quality Air, Water and Growth, Mary Berglund, mberglund@onemain.com, 661-665-7795
R44 - a	Michael V. Sexton	Letter	May 15, 2001	Minasian, Spruance, Baber, Meith, Soares, and Sexton, LLP	Minasian, Spruance, Baber, Meith, Soares, and Sexton, LLP. 530-533-2885, msexton@minasianlaw.com
R44 - b	San Joaquin River Exchange, Contractors Water Authority	Special Issue Exchange Perspective Newsletter: "Unreasonable Water Quality Standards Proposed"	NA	San Joaquin River Exchange, Contractors Water Authority	Minasian, Spruance, Baber, Meith, Soares, and Sexton, LLP. 530-533-2885, msexton@minasianlaw.com
R45 - a	South Yuba River Citizens' League	Letter (hardcopy and floppy) of recommendations from SYRCL	August 1, 2000	South Yuba River Citizens' League	South Yuba River Citizens' League, Lynell Garfield, Lynell@syrcel.org, 530-265-5961 ext 205
R45 - b	South Yuba River Citizens' League	Water Monitoring Quality Assurance Project Plan (and letter summary) - [hardcopy and floppy]	August 1, 2000	South Yuba River Citizens' League	South Yuba River Citizens' League, Lynell Garfield, Lynell@syrcel.org, 530-265-5961 ext 205
R46 - a	Friends of Deer Creek	Letter	June 23, 1995 May 11, 2001	Friends of Deer Creek	Friends of Deer Creek, Joanne Hild (jshild@pacbell.net) and John van der Veen (jivdveen@jps.net), 530-265-4860
R46 - b	Friends of Deer Creek	Deer Creek Monitoring Program, Dec 2000- April 2001 [floppy & hardcopy]	June 23, 1995 NA	Friends of Deer Creek	Friends of Deer Creek, Joanne Hild (jshild@pacbell.net) and John van der Veen (jivdveen@jps.net), 530-265-4860
R46 - c	Veen, John van der (FoDC)	Report of Storm Drain Data Fall/Winter of 99/00.	NA	Friends of Deer Creek	Friends of Deer Creek, Joanne Hild (jshild@pacbell.net) and John van der Veen (jivdveen@jps.net), 530-265-4860

Solicitation Responses with Data or Information for the 2002 303(d) List Update

Response Designation	Author	Description/ Title	Date	Data/Information Source	Submitting Agency/Contact
R47 - a	Yuba City, City of	Cover letter	May 7, 2001	City of Yuba City	City of Yuba City, Michael Paulucci, 530-822-4639 or 530-822-4636
R47 - b	MWD	MTBE Survey Results (Data and Memo to Mike Paulucci).	May 8, 2000	MWD	City of Yuba City, Michael Paulucci, 530-822-4639 or 530-822-4636
R47 - c	Yuba City, City of	Report Prepared for Water Treatment Plant [floppy & hardcopy]	May 7, 2001	City of Yuba City	City of Yuba City, Michael Paulucci, 530-822-4639 or 530-822-4636
R48	Barbara Vlamis	Letter	May 15, 2001	Butte Environmental Council	Barbara Vlamis, Executive Director (530) 891-6424
R49 - a	Delta Keeper	Memo to Jerry Bruns and Joe Karkoski, Re DeltaKeeper Comments on Section 303(d) update	May 14, 2001	Delta Keeper	Delta Keeper, Bill Jennings, 209-464-5090
R49 - b	Delta Keeper	Pathogen Data	NA	Delta Keeper	Delta Keeper, Bill Jennings, 209-464-5090
R49 - c	G. F. LEE, A. JONES - LEE	Review of the City of Stockton Urban Stormwater Runoff Aquatic Life Toxicity Studies Conducted by the CVRWQCB, DeltaKeeper and the University of California, Davis, Aquatic Toxicology Laboratory between 1994 and 1999.	April 1, 2001	G. FRED LEE & ASSOC	Delta Keeper, Bill Jennings, 209-464-5090
R49 - d	G. F. LEE, A. JONES - LEE	Dissoived Oxygen Depletion in the Stockton Sloughs	August 1, 2000	G. FRED LEE & ASSOC	Delta Keeper, Bill Jennings, 209-464-5090
R49 - e	SFEI	Contaminant Concentrations in Fish from the Sac-SJ Delta and Lower SJR, 1998.	September 1, 2000	SFEI	Delta Keeper, Bill Jennings, 209-464-5090
R49 - f	Delta Keeper	Appendix F: Summary Statistics for Monitoring Data: SRWP, USGS NAWQA, Sacramento River CMP, and City of Redding	NA	NA	Delta Keeper, Bill Jennings, 209-464-5090
R49 - g	Delta Keeper	Pollution Alert, to Louis Pratt, Dairy Discharge- high EC reading	June 1, 1998	Delta Keeper	Delta Keeper, Bill Jennings, 209-464-5090
R49 - h	Burke, JW and L Cox	In the Matter of the Water Rights Hearing for the Lower Mokelumne River, Closing Statement USFWS	NA	USFWS	Delta Keeper, Bill Jennings, 209-464-5090
R49 - i	Stockton, City of	NPDES, Ambient Water Quality Monitoring Program.		City of Stockton	Delta Keeper, Bill Jennings, 209-464-5090
R49 - j	SWRCB	Water Quality Problems Associated with Operation of Pardee and Camanche Reservoir	July 1990 (faxed)	SWRCB, A Vorster	Delta Keeper, Bill Jennings, 209-464-5090
R49 - k	Delta Keeper	EBMUD Data- Aluminum, Cadmium, Copper, Iron, and Zinc	NA	NA	Delta Keeper, Bill Jennings, 209-464-5090
R50	David Smith	Copy of letter from Stan Martinson re: 2002 303(d) process	May 15, 2001	USEPA	David Smith (415) 744-2012
R51	Jeanine A. Derby	Letter re: FRLMPs	May 16, 2001	USDA Dept. of Agriculture	Jeanine A. Derby, Forest Supervisor (805) 967-4487
R52	Pat Shiffer	Floppy with email describing data location and download procedures	April 11, 2001	USGS	USGS

Joe K.

* sent a copy of this to Fresno office
- their jurisdiction. 7/23/01

R43

KERN COUNTY NEIGHBORS FOR
QUALITY, AIR WATER AND GROWTH
P.O. BOX 10056, BAKERSFIELD, CA 93389
(661) 665-7795

May 11,

2001

California Regional Water Quality Control Board
Central Valley Region
3443 Routier Road, suite A
Sacramento, CA 95827-3003

PUBLIC COMMENTS ON WATER QUALITY INFORMATION

Dear Mr. Robert Schneider,

Kern County Neighbors for Quality Air, Water and Growth (K C Neighbors) is a growing, fledgling, citizens group with 140 paid members and 200 additional supporters after just one year of operations.

Among our developing projects is a volunteer based Water Quality Monitoring Program. In Delano, last December, several of our members attended a Dairy Monitoring Training by your Clean Water Team. In February, a group of nearly 20 local citizens received a Water Quality Monitoring Training arranged by us and held in Bakersfield. The training was, once again, provided by the Clean Water Team.

KC Neighbors realizes that protecting water quality is essential. Many local residents are excited by the opportunity to become involved in the safe keeping of our local water resources. Our thanks to those of you supporting the outreach program to utilize public participation through volunteer monitoring programs. This program has given citizens a local number to call to report potential water quality problems of concern to them and they're using it.

At this point, all of our comments will be based on our preliminary findings as follows:

1) The Kern River along Highway 178, between Lake Isabella and the mouth of the canyon:

Cow manure on the beaches and along the river bank at USFS, Upper Richbar picnic ground.

*I first observed this on September 24, 2000 during my first visit to the picnic ground. I spoke with the ranger at the facility. He said the cows could come to

the site from any direction because there are no fences.

*On my second visit to the site, February 15, 2001, my monitoring partner and I again saw cow patties on and around the beaches near the river documented our findings, took photographs, heard cows and while driving west on Hwy 178, stopped to photograph cows grazing along the steep Kern River canyon-side several miles down stream of Upper Richbar. We submitted this documentation, with photos, to Clay Rogers in your Fresno office.

KC Neighbors is concerned about the cows being allowed to graze at the waters edge for several reasons. The Kern River is an important water resource to the City of Bakersfield. Upper Richbar is the upper most of three picnic grounds within a several mile stretch of the river. It is heavily used by the public for fishing and swimming. Downstream, at various locations throughout town, children play in the river.

2) EPC-Eastside Landfill:

This landfill is located in the Round Mountain Road area, about 1/2 mile uphill from the Kern River and 60 domestic water drinking wells. Closed in 1985, it contains mostly oil filled wastes with other toxins mixed in. The Department of Toxic Substance Control (DTSC) has an active file and issued an order in 1993 that the site be closed down. The last correspondence on record for this action was in 1998.

Has your agency conducted any testing of this site in conjunction with the cleanup order or otherwise?

3) Kern River east of Manor Drive:

One of our members believes this site to be a likely point source of pollution resulting from stables allowed to operate within the primary flood plain. He also explained that the city of Bakersfield has a law which allows the stables to be rebuilt following flood damage. Approximately one mile downstream, children are reported to swim in the lake created by Calloway Weir near River View Park in Bakersfield.

4) Kern River near Truxtun Lake:

A pile of, what has been identified as COKE (waste from the oil refining process) "large enough to fill ten football fields" was reported to us along the north side of the river. The pile is fenced and posted with a sign that reads, "WARNING Chemicals known to cause cancer, birth defects, or other reproductive harm are found in and around this facility". Staff at the Regional Board investigated the matter and after several weeks discovered that the Department of Toxic Substance Control (DTSC) has a file on it. After speaking with DTSC I would like you and the US EPA to know that this hazardous material

has been there since at least the 1980's, and there is no timeline for removal of the material although it has been determined that it must be moved. The party responsible for this pile, is being asked by DTSC to sample the riverbed both upstream and downstream of the site because of concerns that the material may have migrated. Since the DTSC opened it's file on the site in the 1980's, a popular bike trail has gone in along the opposite river bank. Not only are many more people present in that area now, but they are breathing deeply as they pass by. The wind direction blows predominantly from the northwest to the southeast approximately 75% of the time. The coke pile is directly upwind of the bike trail. Your assistance with securing a timeline for the removal of the material would be greatly appreciated.

5) Buena Vista Lake:

This is a local water body, used for recreational purposes, that we have concerns for because large dairies and fields used to spread human sludge are located in the general vicinity. More large dairies have been permitted for construction in the area.

6) Caliente Creek and Tehachapi Creek:

Both have been reported to us as having considerable fluctuation in water quality.

We encourage the Regional Board to investigate the above mentioned sites and to take the necessary action to assure the public's health and safety. We greatly appreciate your attention to these matters and hope to provide you with reliable, scientific data the next time you solicit water quality information.

Most Sincerely,

Mary Berglund
President
(mberglund@onemain.com)