



Butte
Environmental
Council



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Activities and Events

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

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Rene Hamlin
Kathryn Hood
Sally Miller

Executive Director

Barbara Vlamis

Staff

Kylene Hees

June 14, 2004

Arthur G. Baggett, Chair and Board Members
State Water Resources Control Board
1001 I Street
Sacramento, CA 95814
Facsimile: (916) 341-5620

Re: Comments on "Notice of Public Solicitation of Water Quality Data and Information – 2004 Clean Water Act Section 303(d) List"

Dear Chairman Baggett and Board Members:

On behalf of Butte Environmental Council (BEC), I am pleased to submit these comments on the State Water Resources Control Board's (SWRCB) *Notice of Public Solicitation of Water Quality Data and Information – 2004 Clean Water Act Section 303(d) List*.

Butte Creek

The Sacramento River Watershed Program Organosphate Pesticide focus group has released a draft document: *Study of Diazinon Runoff in the Main Canal Basin During the Winter 2000-2001 Dormant Spray Season*. The Main Canal connects with Cherokee Canal, which then joins Butte Creek, a tributary of the Sacramento River. The report indicates that diazinon was found at a high of 42,000 ng/l at one site (report attached in 2002). The entire reach requires listing *immediately*.

We appreciate that Butte Slough, the lower segment of Butte Creek, was placed on the 2002 303(d) list for diazinon and molinate. This is the one segment that we proposed for the 2002 listing that was accepted by the RWQCB. This particular segment is, of course, part of a much larger waterbody, Butte Creek that is under monitored, thereby under listed. Intuitively, it is clear that diazinon and molinate are also found in the upper portions of Butte Creek and not just in the lower segment proposed for listing where some monitoring by USGS occurred. All of Butte Creek should be monitored considering it is a major drainage for agriculture in Butte County.

Little Chico Creek

Monitoring of Little Chico Creek below Chico in the 2002-2003 year indicates that there is significant mercury toxicity (*Sacramento River Watershed Program 2002-2003 Monitoring Report*, p.22). This segment fails the USEPA national criterion of 12 ng/l for the protection of human health in 51.7% of the data collected. It also fails the 3.1 ng/l standard used in the Great Lakes Initiative (adopted based on bioaccumulation factors for the protection of human health) 89.4% of the time. Additional monitoring of Little Chico Creek must occur through Chico and east into the foothills.

http://www.sacrriver.org/subcommittees/monitoring/documents/SRWP_AMR_02_03_PUBLIC.pdf

Mud Creek above Big Chico Creek

Monitoring of Mud Creek above Big Chico Creek in the 1998-2000 year indicates that there is cause for concern for mercury toxicity (*Sacramento River Watershed Program 2002-2003 Monitoring Report*, p.22). This segment fails the Maximum Contaminant Level (MCL) of 50 ng/l in the Central Valley Basin Plan in .2% of the data. This segment fails the USEPA national criterion of 12 ng/l for the protection of human health in 12.6% of the data collected and the 3.1 ng/l standard used in the Great Lakes Initiative (adopted based on bioaccumulation factors for the protection of human health) 41.5% of the time. Additional monitoring of Mud Creek must occur through Chico and westward.

http://www.sacriver.org/subcommittees/monitoring/documents/SRWP_AMR_02_03_PUBLIC.pdf

Dry Creek above Cherokee Canal

Monitoring of Dry Creek above Cherokee Canal in the 2001-2003 year indicates that there is significant mercury toxicity (*Sacramento River Watershed Program 2002-2003 Monitoring Report*, p.22). This segment fails the Maximum Contaminant Level (MCL) of 50 ng/l in the Central Valley Basin Plan in 13.7% of the data. It also fails the USEPA national criterion of 12 ng/l for the protection of human health in 42.3% of the data collected and the 3.1 ng/l standard used in the Great Lakes Initiative (adopted based on bioaccumulation factors for the protection of human health) 74.4% of the time. Additional monitoring of Dry Creek and Cherokee Canal must occur.

http://www.sacriver.org/subcommittees/monitoring/documents/SRWP_AMR_02_03_PUBLIC.pdf

Process

1) BEC requests that the hearings for the 2004 listing be held regionally and not only in Sacramento. This would allow the public to become more involved in this process.

2) It is insufficient for California to base the final 303(d) list merely on data and information that it has been handed. Rather, the State must complete its mandate and *actively gather and collect* all existing and readily available information from all potential sources, many of which are readily obvious to members of the public (who do not have the resources to do the state's job for them) and should be similarly obvious to the SWRCB. These include but are not limited to the Sacramento Watershed Program monitoring documents, USGS data, DPR data, Monterey Bay Sanctuary data, DHS's Source Water Assessment database, and numerous other data sources, some of which are included in the state's draft Listing Policy. In its February 18th letter on the Policy, EPA Region IX specifically called on the state to "include all EPA monitoring data (not just EMAP) as well as other agencies that operate high quality sampling programs (e.g., U.S. Fish and Wildlife Service, US Department of Agriculture, US Army Corps of Engineers, and National Oceanic and Atmospheric Administration)."

Thank you for the opportunity to comment. Please feel free to call if I can answer any questions or provide more information.

Sincerely,



Barbara Vlamis
Executive Director