



February 5, 2015

Jeanine Townsend, Clerk to the Board
State Water Resources Control Board
P.O. Box 100, Sacramento, CA 95812-2000

Subject: Comment Letter—303(d) List portion of the 2012 California Integrated Report

Dear Ms. Townsend,

California Trout and Trout Unlimited – referred to herein as the *Coho Coalition* – hereby submit the following comments to the State Water Resources Control Board regarding the State Water Board’s *2012 California Integrated Report*.

First, our Coho Coalition is compelled to emphasize the dire circumstances in California’s coastal watersheds: coho salmon in California are on the brink of extinction and steelhead trout may also be critically imperiled. These anadromous species live at least one year in our coastal watersheds and thus depend on cold, clean water to survive California’s dry summer months. Historic land uses, exacerbated in many areas by unregulated dry-season diversions related to marijuana cultivation, has precipitated a crisis in low streamflows in our coastal watersheds.

This crisis predates, but is acutely accentuated by the ongoing statewide drought. The immediate attention of State Water Board and other state agency staff and resources is needed.

Our Coalition is aware of State Water Board and Regional Water Board deliberations regarding the listing of water bodies on the CWA Section 303d list (Category 4c) for flow impairment. While we do not directly dispute evidence used by Regional Board staff to omit listing of waterbodies due to flow impairments, we agree with the Integrated Report’s acknowledgement that "there is no Regional or State water quality objective, narrative or numeric, related to flow", and that lack of such a methodology for assessing flow impairments makes appropriate listing determinations difficult.

We are gratified to see the State Water Board staff’s recommendation in the Integrated Report to develop a consistent methodology for assessing flow related impairments. We urge the State Water Board to support the Regional Water Board’s upcoming March 11, 2015 workshop to consider a regional approach to evaluate flow alteration impairment through the Integrated Report process, as well as support the Regional Water Board staff’s ongoing efforts to conduct instream flow studies and develop flow objectives or other flow criteria. Our Coho Coalition is directly involved in several of these studies (i.e., Shasta River, Navarro River, and Sproul Creek in SF Eel River), and encourage the continued involvement by State Water Board staff in support of Regional Board staff for the development of regional and site-specific flow assessment methodologies.

In response to your key observation that “a consistent source of high quality flow data across watersheds is lacking”, we urge you to support efforts to identify funding sources to support expanded flow measurement efforts throughout coastal watersheds (for example, through appropriate use of Proposition 1 funds).

We also urge you, when considering how to derive streamflow objectives to remedy impaired flows, to consider approaches that can be effectively applied across the diverse and complex hydrology of coastal California watersheds without undue expenditure of limited resources. We are aware of the State Water Board Prioritization Report titled *Instream Flow Studies for the Protection of Public Trust Resources* (SWRCB 2010) that identifies 138 rivers and streams for instream flow studies. While we strongly support the need for site-specific flow studies in many locations throughout our coastal watersheds, we urge caution in attempting to rely solely on this approach to resolve the ongoing crisis in low streamflows. California’s coastal watersheds present challenging circumstances in terms of flow impairment: literally thousands of broadly dispersed, authorized and unauthorized small domestic and ag water users cumulatively contributing to flow impairment. An approach relying only on site-specific flow studies would be exceedingly challenging, exhaust available funding resources, and require many years of flow studies before offering recommendations.

Instead, we encourage the State Water Board to consider a regionalized approach, with a framework similar to the North Coast Instream Flow Policy that encompasses all coastal watersheds of California, be adopted immediately on an interim basis, followed by a thorough review and validation of this Interim Policy. Our Coho Coalition is currently developing a scientific basis for such an Interim Policy. We seek to work with Regional and State Water Board staffs to consider our approach.

In closing, we welcome the opportunity to work with State and Regional Water Board staff to participate in a working group with inter-agency coordination from CDFW, the Division of Water Rights, the Division of Water Quality, and other stakeholders to develop a strategy to help protect the State’s public trust resources now being threatened by depleted low flows.

Sincerely,

Darren Mierau
North Coast Regional Director
California Trout
615 11th Street, Arcata, CA 95521

Matt Clifford
Staff Attorney, California Water Project
Trout Unlimited
4221 Hollis Street, Emeryville, CA

California Trout conserves and restores the streams and watersheds that support California's native trout, steelhead and salmon and supply our state's most precious resource: water.

Trout Unlimited is a leader on California coastal water law and policy reform and has extensive experience working with landowners to improve streamflow and water supply reliability in coastal California