



California Sportfishing Protection Alliance

"An Advocate for Fisheries, Habitat and Water Quality"

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15 March 2009

Mr. Ken Landau, Assistant Executive Officer
Mr. Jerrold Bruns, Envir. Program Manager
Mr. Daniel McClure, WRCE
Regional Water Quality Control Board
Central Valley Region
11020 Sun Center Drive, Suite 200
Rancho Cordova, CA 95670-6144

VIA: Electronic Submission
Hardcopy if Requested

RE: Proposed Revisions to the 303(d) List of Impaired Water Bodies and Consideration of an Integrated Assessment Report for the Central Valley Region

Dear Messrs. Landau, Bruns and McClure,

The California Sportfishing Protection Alliance (CSPA) has reviewed the proposed revisions to the 303(d) List and submits the following comments.

CSPA acknowledges and applauds the prodigious effort of Regional Board staff in collecting and analyzing relevant water quality data and proposing revisions to the 303(d) List. With several exceptions, we support the proposed revisions/additions. The more than 440 additions to the list are a graphic reminder of the seriously degraded state of Central Valley waterways. As additional data is collected from previously unmonitored waters, the list of impaired waterways is likely to continue to expand.

We strongly support the long overdue inclusion of temperature impairment for the San Joaquin, Merced, Tuolumne, Merced, San Joaquin, Pitt, Yuba and N. Fork Feather Rivers. Excessive temperatures are clearly major limiting factors to renewable fisheries in these waterways and the data overwhelmingly supports listing.

However, we question the elimination of selenium impairment from Salt Slough and the San Joaquin River (Merced River to Tuolumne River, Tuolumne River to Stanislaus River, Stanislaus River to Delta). Selenium is a bioaccumulative toxin. The Fact Sheets in Appendix F that document the delisting of these waterways appear to be limited to selenium concentration in the water column but not fish tissue. While the percentage of water column samples exceeding the 5 ug/L Basin Plan numerical limit may justify delisting, we urge staff to reexamine relevant data to see if the Basin Plan Narrative Objective is exceeded. Attached is a presentation given by Dr. William Beckon of the U.S. Fish and Wildlife Service at the CalFed Science Conference on 24 October 2008 that clearly shows that the 5-ug/L standard is not protective of fish, including listed salmonids.

The delisting of electrical conductivity (EC) on the San Joaquin below the Stanislaus is also problematic. Water Quality standards apply throughout the length of a waterbody, not simply at a single monitoring point. Compliance at Vernalis is only achieved because of dilution flows from the Stanislaus River. However, this temporary reduction in EC concentration does not ensure compliance further downstream where agricultural and municipal dischargers contribute additional salt loading. A quick check of monitoring data on the San Joaquin reveals extended periods where EC levels at Vernalis, Mossdale and Brandt Bridge are above the 700 or 1,000 umhos/L mandated standards.

Likewise, compliance with the diazinon objective on the Feather River near the confluence with the Sacramento River, where maximum dilution occurs, does not provide assurance that the standard is being met along the entire length of the Feather River below Oroville. This is especially true considering the recent reduction in river monitoring and the levels of diazinon found in tributaries. According to the Fact Sheets in Appendix F, that provide the basis for the proposed delisting, it appears that no data has been collected since February 2005. Hopefully, this is not the case and we encourage staff to examine more recent data.

Thank you for considering these comments. If you have questions or require clarification, please don't hesitate to contact us.

Sincerely,

A handwritten signature in black ink, appearing to read "Bill Jennings". The signature is fluid and cursive, with the first name "Bill" being more prominent.

Bill Jennings, Executive Director
California Sportfishing Protection Alliance