

# 2012 Integrated Report

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*Redding, CA  
303(d) List of Impaired Waters  
305(b) Surface Water Assessment  
4/9/2014*

*Rebecca Fitzgerald & Katharine Carter  
Public Comments  
Comment Start Time: 52:00*

## **Jennifer Kalt**

*Humboldt Bay Keeper, Citizen Water Monitor since 2005*

In 2010 submitted data recommending listing of Humboldt Bay tributaries and two other water bodies nearby for indicator bacteria

Submitted additional data since then

Total number of exceedances from the 5 water bodies range from 35%-94%

Supports Indicator Bacteria listing recommendations for the Humboldt Bay tributaries

Beneficial uses being impaired: drinking water in Elk River, recreation in all waterways particularly where people surf and recreation of lower gradients

Shellfish is a beneficial use that is being impacted

Humboldt Bay source 75% of oysters being eaten in California

Not allowed to harvest after rainfall because Tributaries are washing fecal coliform into Humboldt Bay

Oyster industry has to shut down 30 days a year due to fecal coliform washing down into Humboldt Bay

For all stated reasons Regional board, state board and EPA should list tributaries to Humboldt Bay

Clean beaches initiative- funding goes to watersheds that are listed toward fecal coliform. Wants to know if Humboldt Bay is eligible for funding as 2015 is last time the funds are going to be given

For 7 years documented levels of fecal coliform in waterways – don't want to have to keep documenting - Want to find solutions instead of documenting it

Identifying sources, need funding to implement solutions

Need funding to find out what sources of pollution are to protect recreational use and shellfish harvesting

## **Jennifer Savage**

*North Coast Environmental Center*

Supports Jennifer Kalt's concerns wants to echo everything she said

Voiced the importance of listing the Little River

Weird smell in water, recreational beach – surfing and for children

Most popular beach in Humboldt County

Identifying Humboldt Bay as a problem area

**Betty Hall**

*Shasta Nation*

Page 8 assessment process – can't read handouts

It would be nice if printouts were legible

“Page 32 says something about need to list this”

“Next page says it's already on the list” “that gets kind of confusing”

You're not naming causes in this report-How can we answer and comment when we don't know what it is

For flow listings “Did not complete data info” “what's the rest of it we should know”

**Roy Hall**

*Shasta nation*

Quartz Valley reservation has no authority off their reservation

These are Shasta Indian lands

Studies by Quartz Valley reservation can't be used because the entire Scott River is on Shasta Indian lands

Tribal sovereignty uninterrupted land title “It is our land”

Only on federal designated lands do they have any authorization – they cannot go off that reservation onto our land and conduct studies that are legal

“So all your studies are bogus because they are not allowed to come on land”

Issue of chem trails – find out who's doing it, why are you not doing anything about it

“This process can stop, this is about control”

You don't have any jurisdiction

Studies are unqualified

**Grace Bennette**

*Siskiyou County Supervisor*

Siskiyou County is in a crisis

City of Montague get their water from Lake Shastina which has a capacity of 50,000 acre-feet currently drawn down too little over 18,000 acre feet and more than 30,00 acre feet of that amount is reserved for environmental purposes

Residents will receive very little if any water because they are giving water to City of Montague

It is predicted that the city of Montague (1,500 people) will run out of water by July 2014

Structure of Shasta valley is volcanic in nature

Shasta valley RCD starting in 1986 has done 1500 projects

Scott valley RCD has done 1200 projects

Siskiyou county road department has done 62 projects

Logging practices have changed and little logging happens now

Work RCD has done includes fencing off streams, replacing culverts with ridges and much more, improving water practices and still raise livestock

Farmers and ranchers are selling stock and not planting their usual crops

Same Farmers have voluntarily cut off water so it will help fish survive

New work: Groundwater studies ongoing for last 5 years will finish soon

Forest service develop 32 and holding ponds in wilderness areas to add to flows in summer time

Studies ongoing about Mediterranean climate how it affects water usage  
Time harvest affects water quantities  
Shasta Valley Heart Ranch removed many juniper trees  
Springs and meadows came back after removal  
Amount of water drawn from the earth by forests and growth of junipers is amazing – if we could control the juniper and be able to log our forests and make them healthy there would be more water in streams  
Siskiyou County supports the staff's decision not to list Scott and Shasta for low flows  
Flows including those for fish and wildlife should be addressed through the water rights process  
You can't get blood from a turnip. There is no more water in Siskiyou County  
"We have to make do with what we have until god sends us more"

### **John Menke**

*Scott Valley POW*

Went to TMDL meetings prior

"Scientist by training"

"Staff do not have the skill levels to deal with the job at hand"

Want to deal directly with the Boards

[Offensive statements against staff]

The way the material online is organized "unless you're a guy like me you shouldn't even bother"

Land owners and people concerned about the land – There is a gap between the people and the decision makers "process is flawed" "input, evaluation process"

Let's have discussion about impairments on a down to earth level

"Very pleased to see mercury assessments" for Copco and Iron Gate Reservoirs

If worried about sediment why haven't you talked to dam removal contractors about the amount of sediment that is going to be released if Iron Gate is removed going 194 miles to the ocean "that amount of sediment can cover a two lane highway from san Francisco to china and its all organic dead blue green algae"

"The dissolved oxygen demands would be phenomenal and kill everything in the river"

"Paul Houser – a fine scientist- got fired because he didn't want to play Salazar's game"

"Back to the Salazar game, we got threatened multiple times by Catherine Kuhlman about how she was going to sic the EPA on us if we didn't buckle under to the state/north coast board activity."

FERC relicensing on the Klamath River Dams was completely shot down by Catherine Kuhlman, she's between the people that are affected and the decision makers. Why would we even bother?

Temperature is driven by sun light

"People are up there breathing on it making each little river hot. No, you're unqualified for what you are doing"

### **Mark Baird**

*Scott Valley POW*

The fact that the State does not have natural source exclusion policy fundamentally shakes me to the core of my being

Don't look at natural causes before you list a watershed, don't take a look at the ephemeral nature of creeks – snow fed creeks  
Sun is only driver capable of changing water temperatures in that type of system  
No cows or trees in Scott river and we're not logging, most of the roads have been closed  
Solar activity is the other thing that can affect water  
My training is in astronomy and I can tell you Temperature comes from sun and nowhere else, this is a hoax  
This 2007-2009 is Crystal Bowman's data, we recognize this data- we've been fighting this fight for 20 years  
Measure quartz valley Indian tribe (who Crystal Bowman worked for at the time) – septic tanks close to the creek wells and everything else  
Crystal Bowman goes downstream and finds impairment of those systems  
Also points to the fact that this is a hoax - Five year old data, Listings based on data that is 5-7 years old  
Everything is a hoax  
Flow can't be the cause it's an ephemeral stream  
Look at the Kitter diaries, these streams dry up in cycles every year  
“They have an agenda to shut down economic activity in the valley”  
Environmental groups are the only ones you listen to  
What about the property owners and tax payers that are directly impacted  
There is no historical data before two decades old  
What was temperature a century ago?  
“Made up data, extracted model, used data to subject people to fines and restrictions”  
Why don't you ever ask the question to the people that know the answers?  
Three counties want to break away from California  
There's plenty of data from RCDs  
In reference to the Quartz Valley data, even data collected with good equipment can be used to accomplish an agenda, look at the credibility and of criminal history of environmental groups that provide data

### **Richard Marshall**

*Rancher in Scott Valley, President of Siskiyou Water Users Association*

Reiterate Mark Bard and John Menke's statements

Split meetings up so it's more convenient – one in Yreka and one in Humboldt

Against the removal of the dams because of the impact that it's going to have on the river

Encourage better water flows throughout the year, would like to see upland water storage systems put in place to supplement water use throughout the year.

Support reduction of density of forest which contributes to lack of water in streams – juniper water uptake is high and reduces flows

Be sure to tell the Board that you're running record number of salmon

### **Liz Bowen**

*Representing Self, Landowner along Scott River*

Frustrated as landowners

Tremendous amount of information at RCD offices that Waterboard should have from HOBO temp. 1,200 projects have been done in the Scott River. “That information is there” “You need to go and get it”

River runs through her property

Upset - Going to meeting since late 90s

Scott should be delisted from all impairments because many projects have been done since 1980s. Landowners are working hard to do improvements

“Coho can spawn on my property” 1997 flood created Coho habitat in backyard

Flows are difficult because river is fed by streams, which are fed by snowpack

Farmers won't be able to get water they need

Trout and steelhead prevalent in Scott River

Over 2,659 Coho were counted coming up the river 50 miles of habitat, and that's in a dry year

“Bio stimulatory conditions – you had to work hard on creating that word”

No tail water returns to the Scott River, it seeps into the ground

Last thing farmers and ranchers do is put on too much fertilizer because its expensive and they don't have enough money

QVIR is biased in data collection and reporting. Summer and fall of 2007/2008 data is biased.

Scott truly a wild river there are no dams. It has cold water refuge

The flood of '64 did huge damage to the river that Mother Nature did still dealing with

All Land owners of Scott are private property owners

No big Ag, we are small farmers and ranchers

Landowners work diligently with NRCS and RCD to see what can be done to improve habitat

California is so diverse in geology you cannot make a one size fit all policy (regarding flow assessment). Siskiyou is different from Sacramento valley let alone Central valley. Scott and Shasta are extremely different Rivers.

Groundwater advisory group has been gathering data

Scott River should be delisted of all impairments, there have been bias and overstepping

“The river is clean – golden eagles bald eagles, hawks, geese, and ducks are all on my property”

### **Tom Mohler**

*Representing Self*

Been to all Waterboard meetings to discuss issues

“All of this study is disturbing”

“This is false science I will go directly to where I feel”

“I don't know if you have signed adoption papers for some of the tribes and environmental interests and biodiversity”

“More diversity on my property then they will ever have”

Study developed by scientists and biologists with a paid outcome

“I'm looking at the true deniers”

### **Erica Terence**

*Resident of Salmon River*

Was working with the Klamath Riverkeeper while Flow impairment listings were petitioned

Data already exists for flow impairment listings

Worrisome to wait to 2018-such a long time to take action. Coho cannot wait - Data will show that. Beneficial use is not being met if salmonids goes extinct.

Shocked that low flow impairment listings are not included in this cycle

Advocating for healthier rivers particularly in Klamath, Scott, and Shasta

Seems backwards that irrigation canal has more water in it than the stream. Even in a year with snowpack the stream is completely dewatered.

Dewatering - showed a dewatered picture of Scott River during September. The hydrology of the river has been altered by landuse practices like pumping of groundwater  
You felt you didn't have guidance that needed to list for flow, where would you expect to find that guidance, in the Listing Policy?

Happy to see something in writing about flow in the Staff Report but it could be more specific and responsive to the USGS flow data that exists to the other best available science. Even if you didn't complete your flow assessment you could have given a more scientific response – I will be looking online at what exists already.

What discussions did you have about addressing this issue before 2018? Have you been approaching the State Board about getting flow evaluation criteria? If not, why not? How can this process be expedited?

Put a lot of work to getting the data and looking to see some reciprocation from the Regional Board because it was a big investment of time and energy attaining the data, and there is a lot at stake here.

### **Craig Tucker**

*Klamath Coordinator for Karuk tribe*

Would love to have a meeting on Orleans as that is most convenient for the Karuk Tribe, but he understands logistical issues make that difficult

Respectfully disagree with decision to not recommend the 303(d) listings for flow impaired

Worked with coast keepers, delta keepers, and others to develop an advocacy platform that was thought out and consistent with the law. The reason they picked the rivers they did for flow listing requests was they felt that the evidence was black and white that flow listings would occur based upon the evidence. Flow impairment is a clear, well documented fact. It is clear from the observational data, interviews with long-time residents, photos over the past 100 years, and two water model studies reflecting that the Scott is impaired by surface and groundwater diversions. Diversions cause the river to go dry unnaturally during the summer ever year.

Would like to know more about the reasons why Regional Board chose not to put flow as impairment.

Flow issues are very difficult, landowners livelihood rely on the river flows, its also tough for subsistence and commercial fisherman

First step in recovery is acknowledging there is a problem

Having the Scott listed as flow impaired acknowledges there is a problem

Need to learn how to share a limited resource

Farming and fishing are compatible activities

Willingness to acknowledge there is a problem so we can sit down and figure out a solution

There is precedence for having rivers listed as flow impaired, 100s of thousands of miles of rivers across the country have been listed for flow impairment

**Dana Colegrove**

*Klamath Justice Coalition*

Agrees with Craig Tucker

People need to take a test on whether they lie to themselves or not because they know they dewater the river at certain times of the year

The river is completely dewatered at certain times of year and it looks like this (shows photo of dry Scott River). It's because of the green hay in the fields in the back ground from groundwater pumping that there is no water in the river.

Please list - We need do something about it

**Konrad Fisher**

*Klamath Riverkeeper*

He and his neighbors are impacted by what happens in the Scott and the Shasta, affected by the impacts to fish and water quality. They are stakeholders.

“Decision to not list because there is no methodology I believe was legally unfounded”

The statement that without a statewide policy we can't make the assessment...I wish you had said that 4 years ago when you sent 10 environmental groups down the road (especially the state board) and asked us to collect lines of evidence. I felt like we were lead around like a cat with a string saying if you do this then we will make a consideration only to find out you cannot make a decision. I felt betrayed by that.

Forcing public interest organizations to come up with lines of evidence is completely backwards, the burden of that, of protecting the public trust should fall on the backs of public entities and not on small organizations.

Agrees with the methodology suggested in the Staff Report, and suggests it be implemented for this listing cycle. The Scott flows are 1) altered from natural historic flows (proven by Science), 2) altered by human activity (proven by Science), 3) there are impacts to beneficial uses, especially recreation. You can't recreate with no water. Also, anyone who can put a study forth that says fish don't need water...I'd love to see that.

Government allocated more water from the Scott River than what actually exists, which created a problem for the people who built their livelihood around that allocation.

Many different interest groups in the world (Tribes) within the Klamath basin rely on the fishery and river flows

People need to learn how to share the water

By listing there will be government attention and funding to reallocate water in a way that is not painful

Dewatering the rivers is illegal based on the public trust doctrine and reasonable use doctrine.

Rebalancing between out of stream and in stream needs

**Nathanial Pennington**

*Klamath River Keeper*

Disagree with not proposing to list the Scott and Shasta for altered flow  
1999 was the first time people had seen the river dry up to such an extent, up into the valley. Old-timers were surprised at how much it dried up and now it is a regular occurrence

Chinook used to spawn throughout the Scott Valley and now they don't make it past Meamber ridge and gauge.

Sad to see the rivers being dried up

Agree with Craig, Konrad, Dana, and Erika

### **Terry Raposa**

#### *Representing Self*

"Truth...wow...let's see if we can get to the truth." What is the capacity of this room? You find a room for 55 people but make 111 copies of some handouts, but there are not enough of the other handouts.

Data you have presented it out of date, and you're asking these people to submit more data to you yet you're making a decision for us...that is disturbing. The fact that you are paid to come here and do this with tax payer money, that's very disturbing.

As far as the river being dry..."I'm a simple guy, were in a drought –that might not be the total reason, I don't really know"

Layer of bureaucracy – "you have a job because of this". You drove here on our nickel. Don't have correct data, data that is old, your asking people for data because you don't have data.

Everyone in this room – this meeting is an inconvenience for them

"This is a sham, pure and simple"

"What you are doing is illegal"

No sense of truth, I submit that to you

"You don't have data, you're not even qualified, and this is hardly even legal"

### **Richard Wilkinson**

#### *Resident of San Joaquin County*

General distrust of government agencies

Unelected officials are writing regulations that affect fine people –trying to bankrupt them

Data used for global warming model is bogus, that was proven. Now we have climate change instead of global warming. How do we know that the people collecting the data for climate change aren't the same ones collecting the data for water quality?

### **Ali Hall**

#### *Representing self*

This is a new process. I'm glad to come and learn about it

On Page 9 of the Staff Report it references "reference conditions" and says see section 3.7 of the Listing Policy. What are the reference conditions? When were the initial studies done? What was the document describing the process to get the reference condition or where can it be found? Where can they get the quality assured guidelines for accepted studies, where is that information kept and accessed?

(Questions answered orally by Regional Water Board staff).

Overstepping bounds when listing so called impaired streams, when nature is the only contributor to impairment, when there is no system in place to examine those features let alone consider them impaired.

### **Roy Hall**

*Shasta Nation*

Stream flow studies are related to endangered species (Coho), right? What brings about all this expenditure of time and money? Fish and game have been killing thousands of Coho at Iron Gate hatchery before the listing. Believes fish and game and the Yurok Tribe killed of 12,000 Coho on the New River near the mouth of the Klamath River to ensure the listing of the Coho

1923 -1924 ranchers were driving their cows 10 miles downriver to get water (there were no flows) no pumps back then. So 1990 low flows not unseen before. These dry seasons were not unprecedented – it happens naturally.

This isn't being water being withheld

Riverkeepers are unlawful

### **Tom Penske**

*Property owner in Quartz Valley*

We have water rights

Wants to talk about data

Have someone go in and read the Kitter diaries - 1850 came into Scott valley and did more work on water flow than anyone else who was just a rancher

Tributaries to the Scott River always went dry typical for the upper Scott to go dry

Corps of engineers had a better idea for Scott river they channelized the river, can't have trees on the bank can't have shade

Ranchers getting blamed for what corps of engineers did

Record run of salmon last year (2013)

Everyone is pumping water not just ranchers - The River has always gone dry

It is what it is you can't do anything about it

### **John Menke**

*"Scientist"*

Had fishermen take water temp. Temperature above blue creek confluence was 76C on September 26<sup>th</sup>. Ramping up of Trinity flows enticed salmon. After having CFS running at high levels for about a month they dropped it down to 354 CFS around the time the Coho were coming up and the Yurok had already finished up with their catch.

Tribe doesn't care about the Coho. Count of Coho has been held down by Indians

Sluicing the Coho. 2,659 Coho counted in 2013 (outstrips any other year). In 2010 911 in the Scott River weir before weir was put into center of river.

Fishermen afraid to go to Indian Territory because they are afraid of being shot.

Farmers been held responsible for unaccountable take from Indian Reservation

### **Kim Mattson**

*Environmental Director of Quartz Valley Indian Reservation*

Invites people to come to the offices to look at and review data with him

“We are trying to be as unbiased as we possibly can”

Hands out data

“It’s really good to have good data”

“We are continuing collection [of data] to provide more information”

**Don Macintosh**

*Rancher*

I see the sky at all times of the day

Chemtrails source of aluminum – the government is spraying thousands times more aluminum via Chemtrails

With this new chemtrail information that has come to light, the Board should investigate

**Andrea Carson**

*Scott Valley resident*

Concerns seem to be...are people impairing the river or was it natural, does the existence of people have anything to do with it?

If you live at head of the source why don’t you get your share of water?

Why are we talking about people that are down river have a higher right to this water?

You’re talking about human beings who have lived in an area and used the area responsibly, then people come in after time and say animals are more important

Been through several droughts, have had 6 children, was an OB nurse..I’m sure you love the coho salmon, but they are not endangered

Valley itself is a very small spawning ground for fish. No mother will go up and spawn where there isn’t habitat, no mother would do that.

It’s like the people don’t count – their needs don’t count

Why aren’t people part of the beneficial uses?

The food is being jeopardized by this drought so we should take care of the farmers

EPA regulations are going to be putting more pressure on the farmers. “Where do you think you’re going to get your food? Mexico?”