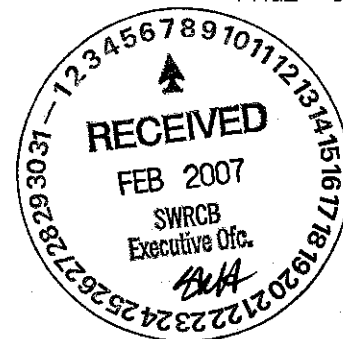


2/20 BdMtg Item 8
Squaw Creek
Deadline: 2/8/07 1 pm



February 7, 2007

Song Her, Clerk of the Board
State Water Resources Control Board
Sacramento, CA 95812—010-0

Subject: Comment letter for the proposed Amendment to Squaw Creek Sediment (TMDL) Plan.

Dear Board of Directors,

I have lived full time in Squaw Valley since 1963 on Winding Creek Road. From my first days here I have made it a habit to walk the creek three to four times a week. Over the years I have observed varying creek and meadow conditions and various wildlife in and around the creek. These walks were always very enjoyable until the summer of 1992 when the creek stopped flowing through the meadow reach leaving isolated pools of very warm water and dying fish. This event was repeated in 1994, 2001, 2002, 2003, 2004 and 2005. By 2003 most of the spawning size fish had disappeared leaving only a small amount of three to five inch Brown Trout trying to survive in shallow, sediment filled, oxygen depleted pools.

When first discovering the creek drying up and the fish dying in 1992, I started to keep daily field notes and wrote my observations in a diary. I have also taken countless photos to document the various conditions of the creek. Over the years I have testified at meetings and have shared and/or submitted my notes and photos many times to many agencies and groups. One quote in particular which I feel addresses the most obvious issue is the diversion of creek flow as stated in part in the approved minutes of the Squaw Valley Public Service District's Board of Directors meeting of September 25, 2001. "Water use by private right holders which depletes the flow of a stream or decreases the quality of water so as to make it unsuitable for fish life, navigation, recreation or scenic and ecological uses, is as inconsistent with public trust protection as fencing a stream off from the public, filling tidelands or depositing debris in a river." Others contacted are California State Fish and Game, US Fish and Wildlife, Lahontan Regional Water Quality Control Board, Lahontan Cutthroat Recovery Group, Truckee Watershed Council, Placer County Planning Dept. Placer County Planning Commission, Placer County Board of Supervisors, the Friends of Squaw Creek, Squaw Valley Public Service District Board of Directors, The Squaw Valley Municipal Advisory Council, Squaw Valley Mutual Water Company, Squaw Valley Ski Corp, and the Resort at Squaw Creek.

I appreciate very much that Lahontan is proposing a 50 percent reduction in the controllable sediment loading in Squaw Creek to protect beneficial uses and public trust. I think this will help in reducing the sedimentation and algae in the creek and help in restoring the aquatic life, IF pre 1992 creek flows can be restored.

In my opinion the main reason for the degradation of Squaw Creek, in addition to excessive sediment, is the excessive depletion of in-stream flows. Squaw Valley Public District's well #5 and the Mutual Water Company well #1 are located on or very near to the "old" natural creek channel and the existing creek channel. The locations of several current wells are diverting water from the creek causing excessive depletion of in-stream flow which indicates that the amount of ground water that is being withdrawn by these two and other wells, is exceeding the "safe yield" of the Squaw Valley aquifer basin. Also, the Squaw Valley Public Service District horizontal well at Avery Springs may be depleting surface water which feeds the upwelling spring in the meadow which flows into a small brook which used to flow cold water during dry years into Squaw Creek.

Also, in my opinion the East and West irrigation ponds at the Resort at Squaw Creek which are fed by well 18-3R (near the up-welling spring) are diverting surface and ground water from west to east, and may be lowering the aquifer water level near the mid-meadow reach of Squaw Creek.

I have spoken to the California Department of Fish and Game and the US Fish and Wildlife Service and made several creek walks with them, conducting Electro-fishing and Snorkel Surveys. I believe that they both agree that the creek has too much water being diverted from it, especially during the dry years in August, September and October. It is obvious to me that Squaw Creek is being sucked dry by excessive well pumping and other surface water diversions, such as raised golf greens and culverts etc.

It is very unfortunate that the lack of stream flow in Squaw Creek since 1992 has not gotten the attention that it deserves. Hopefully with new awareness and possible updated policy changes in the State Water Resources Control Board, quantity will become an equal element to quality in your policies. I personally feel that water quality and water quantity go hand in hand.

Thank you for the opportunity to comment on this proposed amendment.

Respectfully,

Carl R. Gustafson PE.
Carl R. Gustafson, PE

Please see accompanied attachments.

SVPSD Board Meeting Minutes of Sept. 25, 2005, Public comment page 2 and 3.

Letter from Chuck Rich, 8/20/07, Complaint Form.

March 22, 2005, 2 pages - Beneficial Use Impacts to Squaw Creek.

June 17, 04, My letter to SVPSD and Placer County Board of Supervisors.

36 of my photos selected and copied by Lahontan employee, Jill Wilson.

**SQUAW VALLEY PUBLIC SERVICE DISTRICT
BOARD OF DIRECTORS MEETING #618
REGULAR MEETING
SEPTEMBER 25, 2001**

Meeting called to order at the Squaw Valley Fire Station Meeting Room by President Dale Cox at approximately 8:30 a.m.

DIRECTORS PRESENT: Dale Cox, President
John Moberly
Michael Murphy
Eric Poulsen, Vice-President
John Wilcox

DIRECTORS ABSENT: None

STAFF PRESENT: Richard Lierman, General Manager
Valerie Elder, Board Secretary
Peter Bansen, Fire Chief
Jesse McGraw, Operations Manager
Julie Dickman, Account Clerk II
Tom Archer, Legal Counsel

Brad Chisholm, Firefighter
Linda Deatherage, Office Supervisor
J. P. Gassiot, Fire Engineer
Allen Riley, Firefighter

OTHERS PRESENT: John Enloe, ECO:LOGIC
Michael Gross, SVSC
Carl Gustafson, Property Owner
Mike Livak, SVSC
Bill Morton, Municipal Finance Corporation
Gladys Poulsen, Poulsen Commercial

REVIEW OF FINANCIAL CONSENT AGENDA EXHIBITS

Directors Poulsen and Wilcox, Finance Committee members, met with District Staff on September 24, from 4:00 p.m. to 4:55 p.m. to review Consent Agenda Items 1 through 10 and other financial items on the Agenda. Staff present were Rick Lierman, General Manager; Valerie Elder, Board Secretary; Peter Bansen, Fire Chief; and Julie Dickman, Account Clerk II.

APPROVE FINANCIAL CONSENT AGENDA

A corrected Exhibit C-9 was distributed. Director Poulsen informed the Board that the District tax allocations will exceed the amounts in the 2001-2002 budgets. MOTION to approve Financial Consent Agenda Items C-1 through C-10, MOBERLY/WILCOX; VOTE 5 AYES/0 NOES/0 ABSENT/0 ABSTAIN.

APPROVED
10-30-01
VF

REVIEW & APPROVAL OF MINUTES—August 28, 2001, Regular Meeting and Workshop Meeting

Director Poulsen referred to the Workshop Minutes. He felt a comment made by Director Moberly regarding separating the Departments should be included, Valerie said she would add the following statement at the end of paragraph 7 on page 3: "Director Moberly said he feels another advantage to Option #2 is that the Utility and Fire Departments will not be physically separated."

Director Wilcox commented that he thinks clarification is needed in the Regular Meeting Minutes on page 6, paragraph 2. He felt the third sentence was not clear. Valerie said she will change that sentence to read: "Rick said he plans to respond to the letter by stating we will not remove ASCWD as a possible alternative water source in the report, even though the District has no intention of considering ASCWD as an alternative water source."

Director Wilcox asked that a change be made on page 4, paragraph 10, of the Workshop Minutes. He suggested the word "Option" be changed to "Building." Valerie indicated she would make that change.

MOTION to approve the Minutes of the August 28, 2001, Regular Meeting and Workshop Meeting with the above revisions, MOBERLY/POULSEN; VOTE, 5 AYES/0 NOES/0 ABSENT/0 ABSTAIN.

PUBLIC COMMENT

Carl Gustafson circulated pictures of Squaw Creek. He also read the following information into the record from the "Governors Commission To Review California Water Rights Laws, January, 1978. Staff Paper No. 6 by Anne J. Schneider, Legal Aspects of Instream Water Uses in California:"

"Water use by private right holders which depletes the flow of a stream or decreases the quality of the water so as to make it unsuitable for fish life, navigation, recreation, or scenic and ecological uses, is as inconsistent with public trust protection as fencing a stream off from the public, filling tidelands, or depositing debris in a river.

"Section 1243, Water Code, first declares that instream fish, wildlife and recreation uses are beneficial uses of water, and then states: In determining the amount of water available for appropriation for other beneficial uses, the board shall take into account, whenever it is in the public interest, the amounts of water required for recreation and the preservation and enhancement of fish and wildlife resources."

Carl Gustafson stated that he brought this up because of the allocations referred to in the Groundwater Study. He commented that there is zero allocation in the Study for instream flows.

Carl Gustafson continued quoting from the above document as follows:

APPROVED
10-30-01
218

"Especially in the West, many streams virtually dry up in the late summer and fall and even reservation of all the water (naturally flowing) in the stream may be insufficient to maintain fishery resources or to permit recreation. To overcome this difficulty in California, the State Water Resources Control Board ... has required an applicant seeking a permit to divert and store water to release a portion of the stored water during certain times of the year to protect and enhance instream uses when natural flows are low.

"These statutes do not specifically address instream water uses. However, because instream fish, wildlife, and recreation uses are beneficial uses of water, and these uses are economically and environmentally valuable to areas of origin, it may be possible that these instream uses can be protected under the area of origin protection statutes.

"The federal Fish and Wildlife Coordination Act is the central statement of federal fish and wildlife responsibility. The purpose of the Act is primarily: To provide that wildlife conservation shall receive equal consideration and be coordinated with other features of water resource development programs through the effectual and harmonious planning, development, maintenance, and coordination of wildlife conservation and rehabilitation."

President Cox asked that the above comments be entered into the Minutes.

Carl Gustafson said he spent about 30 to 40 hours in the Meadow and has relocated 60 fish. He said he thinks things can be done and he needs some help in trying to divert water into Squaw Creek.

President Cox stated that he appreciates Carl's efforts and concerns about the environment.

Rick Lierman responded to the comments made concerning the Groundwater Study and advised that the District's drinking water does not meet the standards set by the Regional Board for discharge into Squaw Creek.

Jesse McGraw said he directed District crews to check the output of the horizontal well to make sure that the amount of water we are required to bypass is still being met.

BOARD PRESIDENT'S COMMENTS

President Cox expressed that he wanted to commend the staff at the Fire Department for the time and effort that they spent helping Stan and Nancy Tomlinson get moved; he said it was a real positive gesture on the Fire Department's part. Whoever's idea it was, they should be recognized for their effort of community service.


Chief Bansen said it did not take very long because they had so many people; he said they were overwhelmed by the number of people that turned out. Chief Bansen said he thought that Guy Tomlinson called Linda, Linda talked to him, and he talked to the other guys.

APPROVED

State Water Resources Control Board



Gray Davis
Governor


Inston H. Hickox
Secretary for
Environmental
Protection

Division of Water Rights

1001 I Street, 14th Floor • Sacramento, California 95814 • (916) 341-5377
Mailing Address: P.O. Box 2000 • Sacramento, California • 95812-2000
FAX (916) 341-5400 • Web Site Address: <http://www.waterrights.ca.gov>

August 20, 2002

Carl Richard Gustafson
Civil Engineer
P.O. Box 2359
Olympic Valley, CA 96146

Dear Mr. Gustafson:

POTENTIAL COMPLAINT REGARDING DIVERSIONS AFFECTING SQUAW CREEK IN PLACER COUNTY

Victoria Whitney of this office recently spoke at a proceeding in the Lake Tahoe area. Based on a brief conversation after the meeting, she understood that either you or the Friends of Squaw Creek are interested in filing a formal complaint against one or more diverters in the Squaw Creek drainage. I have enclosed several complaint forms and a copy of a booklet describing our complaint process for this purpose if our understanding is correct.

If there are any questions, I would be happy to discuss the current situation with you or a representative of the Friends of Squaw Creek. I can be reached at (916) 341-5377.

Sincerely,

Charles A. Rich

Charles A. Rich, Chief
Complaint Unit

Enclosures: (1) Complaint Forms; (2) Complaint Booklet

California Environmental Protection Agency

"The energy challenge facing California is real. Every Californian needs to take immediate action to reduce energy consumption. For a list of simple ways you can reduce demand and cut your energy costs, see our Web-site at <http://www.swrcb.ca.gov>."



California Regional Water Quality Control Board Lahontan Region

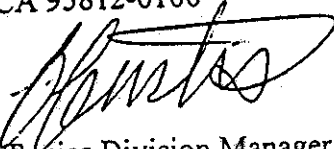


Alan C. Lloyd, Ph.D.
Agency Secretary

2501 Lake Tahoe Boulevard, South Lake Tahoe, California 96150
(530) 542-5400 • Fax (530) 544-2271
<http://www.waterboards.ca.gov/lahontan>

Arnold Schwarzenegger
Governor

TO: Chuck Rich
Division of Water Rights
State Water Resources Control Board
P.O. Box 100
Sacramento, CA 95812-0100

FROM: Chuck Curtis 
Planning and Toxics Division Manager
LAHONTAN REGIONAL WATER QUALITY CONTROL BOARD

DATE: March 22, 2005

SUBJECT: INFORMATION ON BENEFICIAL USE IMPACTS TO SQUAW CREEK
DUE TO GROUNDWATER PUMPING

For your information and use, attached is a packet of field notes, photographs and related information related to the effects on the beneficial uses of Squaw Creek (primarily cold water fish and spawning habitat) due to groundwater pumping for municipal and domestic use, landscape irrigation, and stock watering. A long-time resident of Squaw Valley, Mr. Carl Gustafson, has generated and provided much of this information. Mr. Gustafson and Regional Board staff are concerned about the increasing loss of fish in the creek and the related increasing groundwater pumping.

Squaw Creek is located in the Squaw Valley area of Placer County. Squaw Valley is a glacial valley with steep side-slopes and a broad, flat valley floor. The creek is characterized by relatively steep mountain tributaries, the largest two of which flow to a confluence near the upper (western) end of the valley floor. Once in the valley, the creek flows east at a low gradient for approximately two miles to the terminal moraine, and then the gradient increases significantly for approximately one half-mile until the creek joins the Truckee River.

Groundwater in the Squaw Valley area is currently not adjudicated for purposes of assigning water rights. Surface water in Squaw Creek is subject to the Truckee River Operating Agreement (TROA) and associated water rights adjudication. The characteristics of the valley are such that Squaw Creek and the underlying groundwater are in direct connection such that groundwater extraction can and does result in loss of stream flow in the valley portion of the creek. Pumping tests from one or more municipal wells have shown a direct and rapid decrease in the depth of water in Squaw Creek.

Two water providers, the Squaw Valley Public Services District and the Squaw Valley Mutual Water Company, and various individual entities extract groundwater in Squaw Valley. Development in the Squaw Valley area is significantly increasing with concomitant increases in

California Environmental Protection Agency

water needs. The Public Services District and others are proposing additional groundwater extraction to meet those needs.

Mr. Gustafson's attached information details impacts to the fishery and flow of Squaw Creek. He notes that since about 1992, stream flow has decreased and fish are more frequently being stranded and dying. Fish of spawning size are less frequent, and spawning viability appears to be threatened. I believe that Mr. Gustafson, a California licensed civil engineer, is a credible source of information on Squaw Creek and groundwater pumping's effect on the fishery. Other residents of Squaw Valley have echoed Mr. Gustafson's concerns.

The Water Quality Control Plan for the Lahontan Region (Basin Plan) designates the beneficial uses of Squaw Creek, a perennial stream, to include municipal and domestic supply (MUN), agricultural supply (AGR), ground water recharge (GWR), body-contact recreation (REC-1), non-contact recreation (REC-2), commercial and sportfishing (COMM), cold freshwater habitat (COLD), wildlife habitat (WILD), rare, threatened or endangered species (RARE), migration of aquatic organisms (MIGR), and spawning, reproduction, and development (SPWN). Groundwater in the Squaw Creek area has the municipal and domestic designated beneficial use, but may also have other existing or potential beneficial uses not explicitly designated by the Basin Plan.

Reduced flows, including no surface flow in the summer in some portions, of Squaw Creek appear to coincide with increased groundwater extraction and appear to be affecting or may affect the REC-1, REC-2, COMM, COLD, WILD, RARE, MIGR, and SPWN beneficial uses. Excessive sediment discharge to Squaw Creek also appears to be affecting certain beneficial uses, and the Regional Board is developing a TMDL (Total Maximum Daily Load) for sediment in Squaw Creek. I encourage the State Water Resources Control Board staff to investigate groundwater water extraction in Squaw Valley and its effects on beneficial uses of the creek.

If you have any questions on this matter, please call me at (530) 542-5460.

cc: Carl Gustafson

Attachment

PLACER CO. BOARD OF SUPERVISORS
@ KINGS BEACH MEETING

SUBMITTED
MAY 5, 2004

3/4/05 RESUBMITTED TO
CARL RICHARD GUSTAFSON
Civil Engineer
P.O. Box 2359
OLYMPIC VALLEY, CALIFORNIA 96146

RESUBMITTED 9/28/04 *CH*

7/23/04 *To SWCB*

DATE JUNE 17, 2004

SUBJECT SQUAW CREEK

(530) 583-6845

SQUAW VALLEY PUBLIC SERVICE DISTRICT IN STREAM FLOW
WATER COMMITTEE
MEETING OF JUNE 17, 2004
ESPECIALLY DURING DROUGHT
YEARS OF 1992-1994 & 2001
& 2004

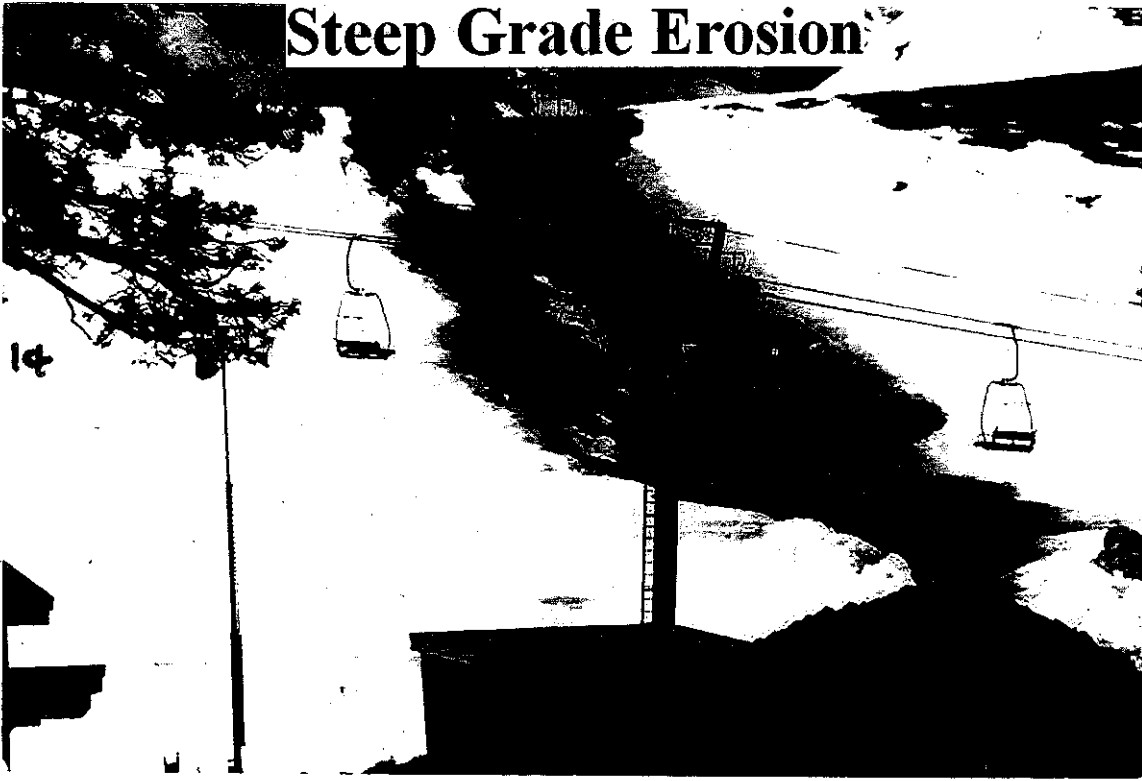
PUBLIC FORUM FOR THE RECORD (PLEASE)

IN MY OPINION I BELIEVE THAT THE SQUAW VALLEY
WELL FIELD WELL AQUIFER HAS BEEN & CONTINUES
TO BE OVER DRAFTED SINCE THE DROUGHT SUMMER
& FALL OF 1992 WHEN THE CREEK ^{STOPPED} FLOWING
THROUGH THE MEADOW REACH LEAVING ISOLATED
ALGAE CHOCKED & OXYGEN DEPLETED POOLS OF WARM
WATER WHERE MANY ^{100 PLUS BROWN THROT DIPH} FISH SUFFICATED & DIED ALONG
WITH MANY OR MOST MACROINVERTEBRATES. THIS WAS REPEATED
IN THE 1994 & 2001 DROUGHT YEARS ~~AND NOW~~ AGAIN THIS
YEAR

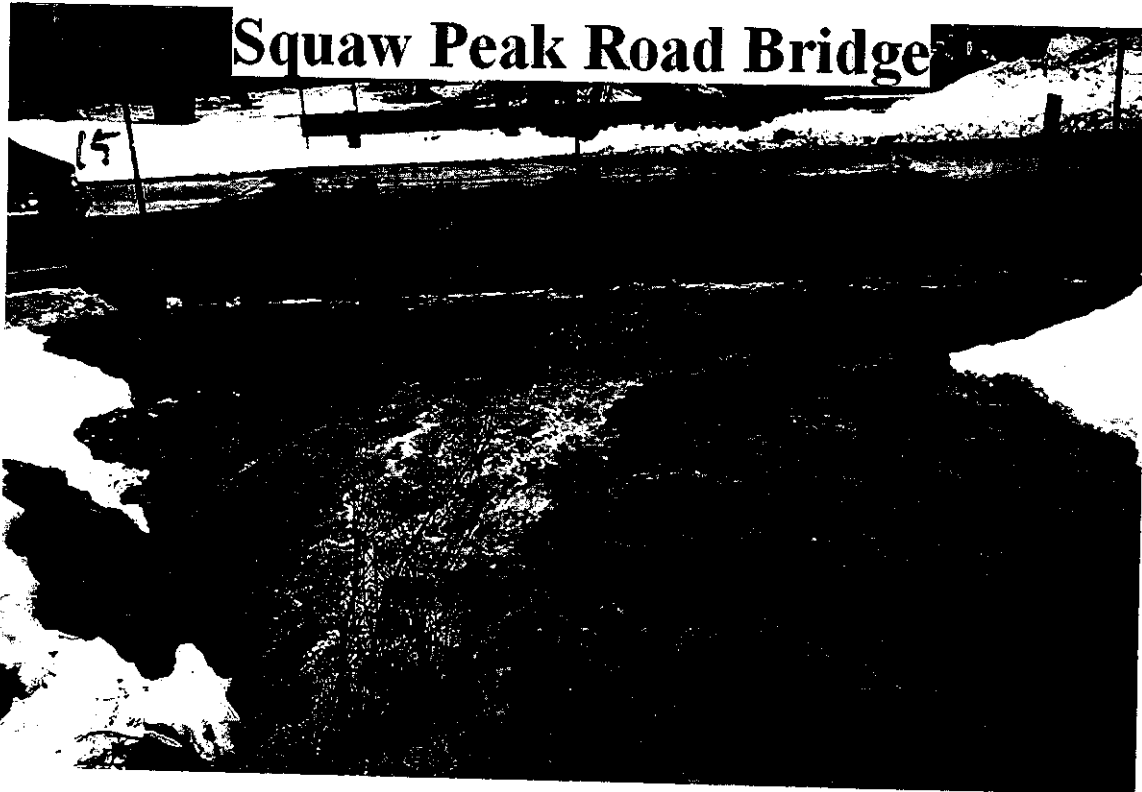
2004 YEAR - RESPECTFULLY SUBMITTED SIGNED *Carl Gustafson*
 NO REPLY NECESSARY THANK YOU. *CH*

P.S. SQUAW VALLEY PUBLIC SERVICE DISTRICT
WELL NO 5 AND THE MUTUAL WATER CO WELL
NO 7 ARE LOCATED ON OR VERY NEAR TO THE
"OLD" NATURAL CREEK CHANNEL AND ARE
DIVERTING WATER FROM THE CREEK CAUSING
EXCESSIVE DEPLETION OF IN STREAM FLOW
WHICH INDICATES THAT THE AMOUNT OF
GROUND WATER THAT IS BEING WITHDRAWN
BY THESE 2 AND OTHER WELLS IS EXCEEDING
THE SAFE YIELD OF THE SQUAW VALLEY AQUIFER
BASIN. SEE ATTACHED EIR FROM HOPKINS REUCH
MARTIS VALLEY. *Carl Gustafson 10/5/04 3/4/05*

Steep Grade Erosion

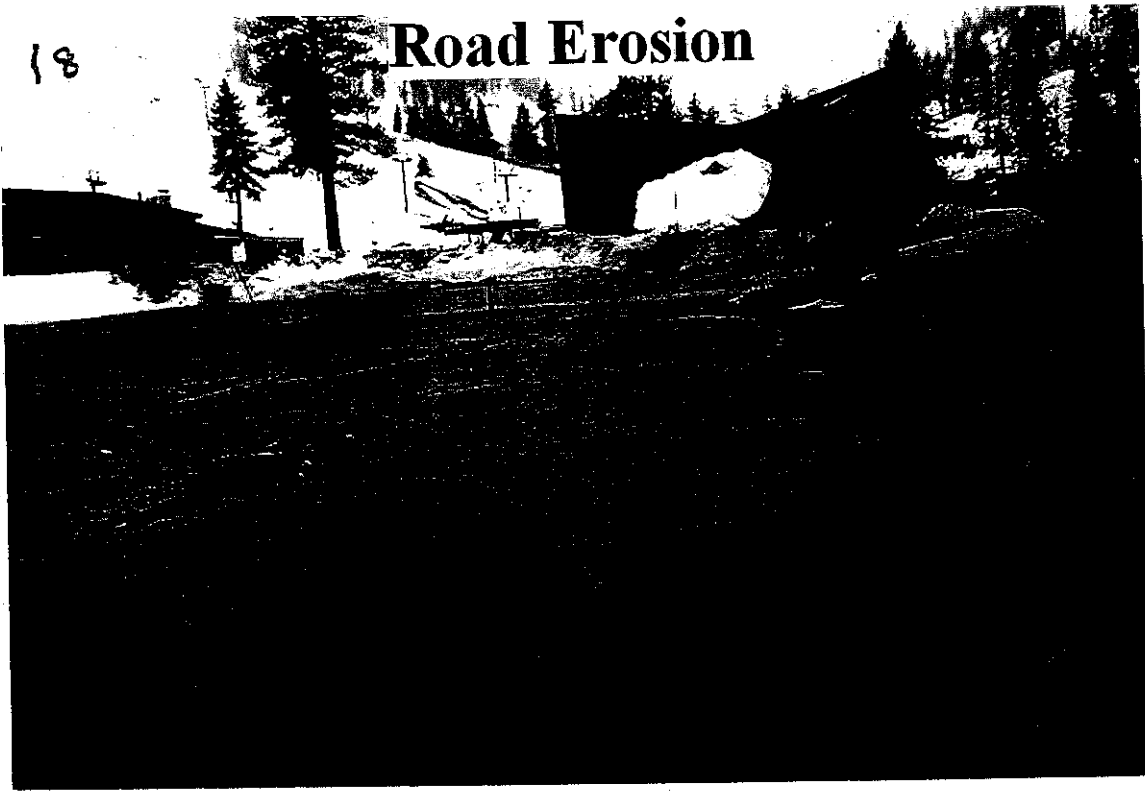


Squaw Peak Road Bridge



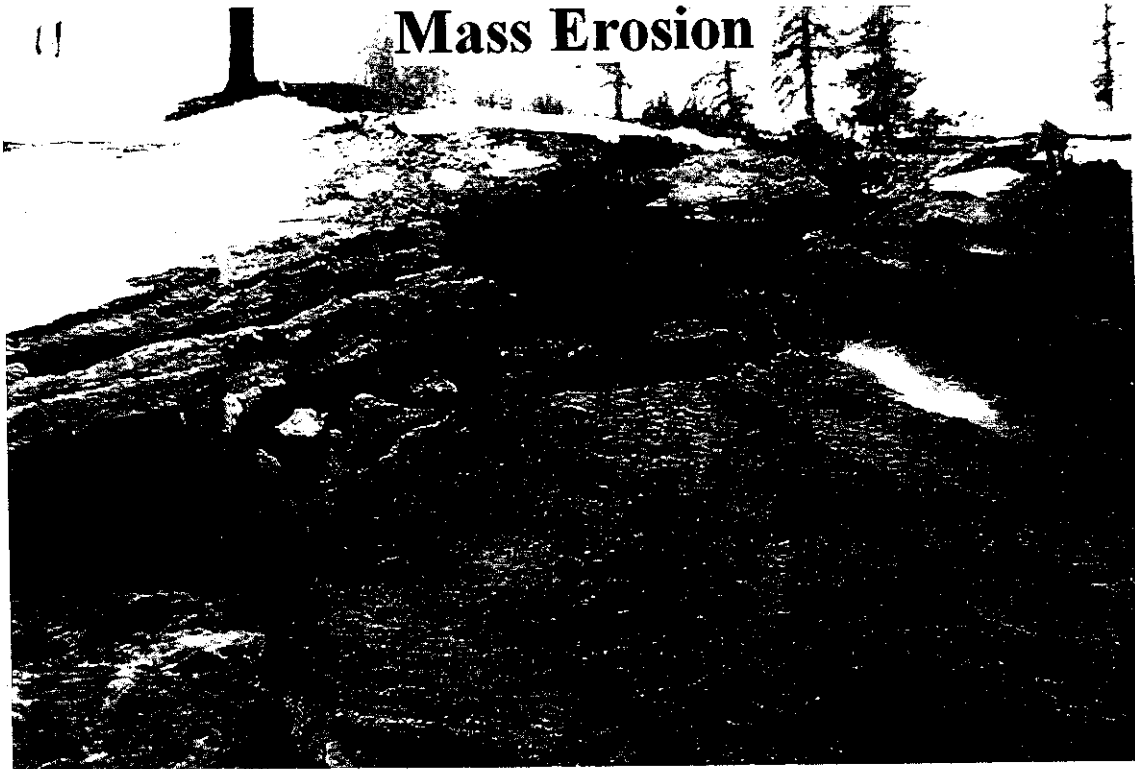
18

Road Erosion

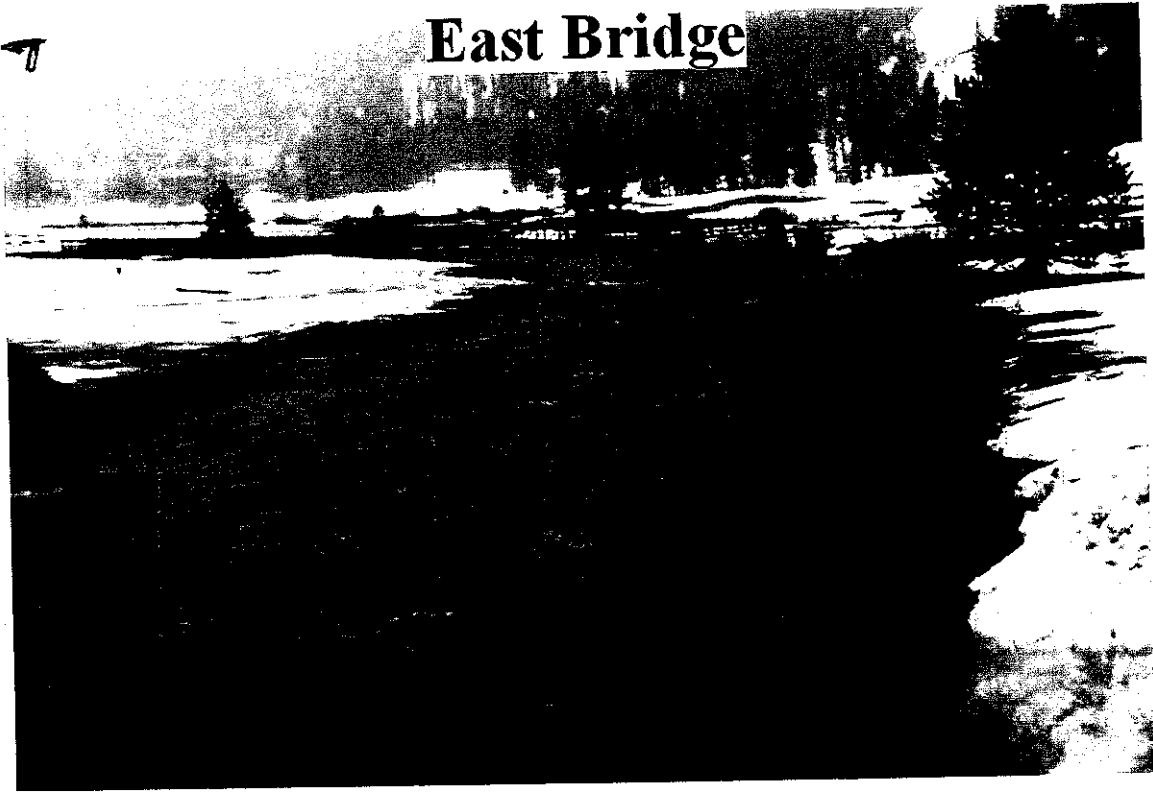


11

Mass Erosion

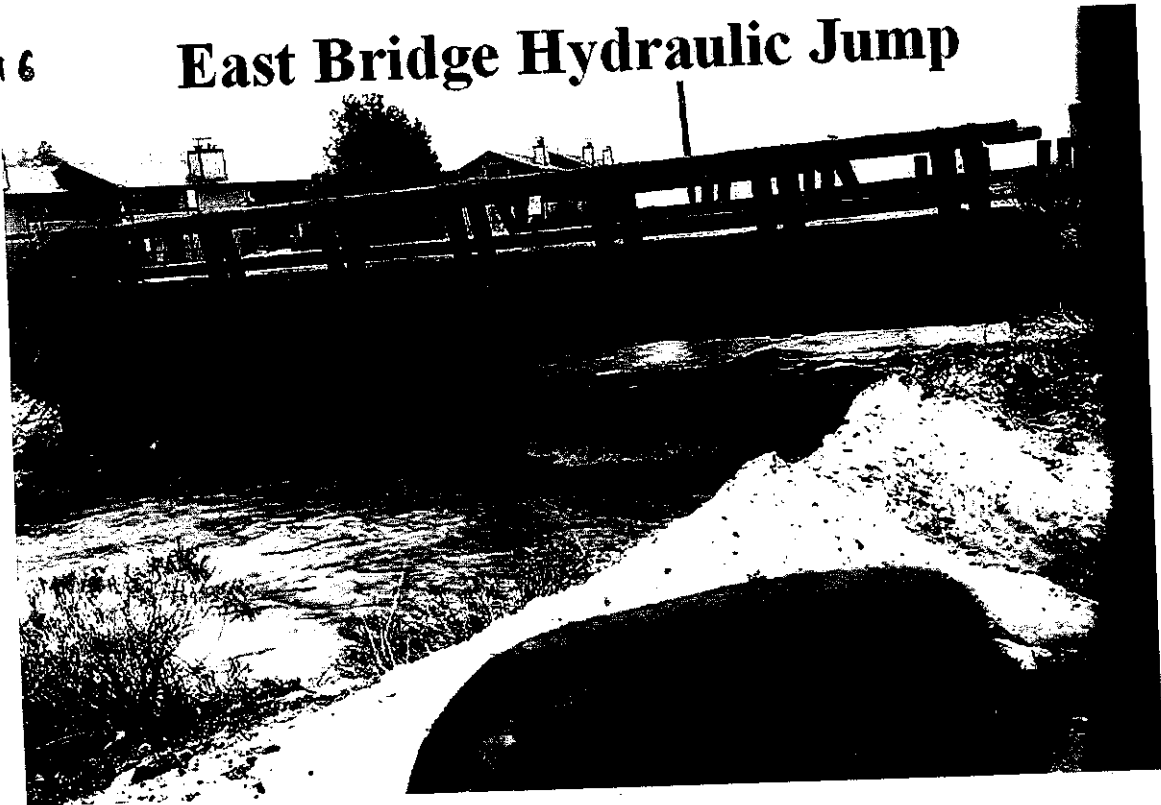


East Bridge

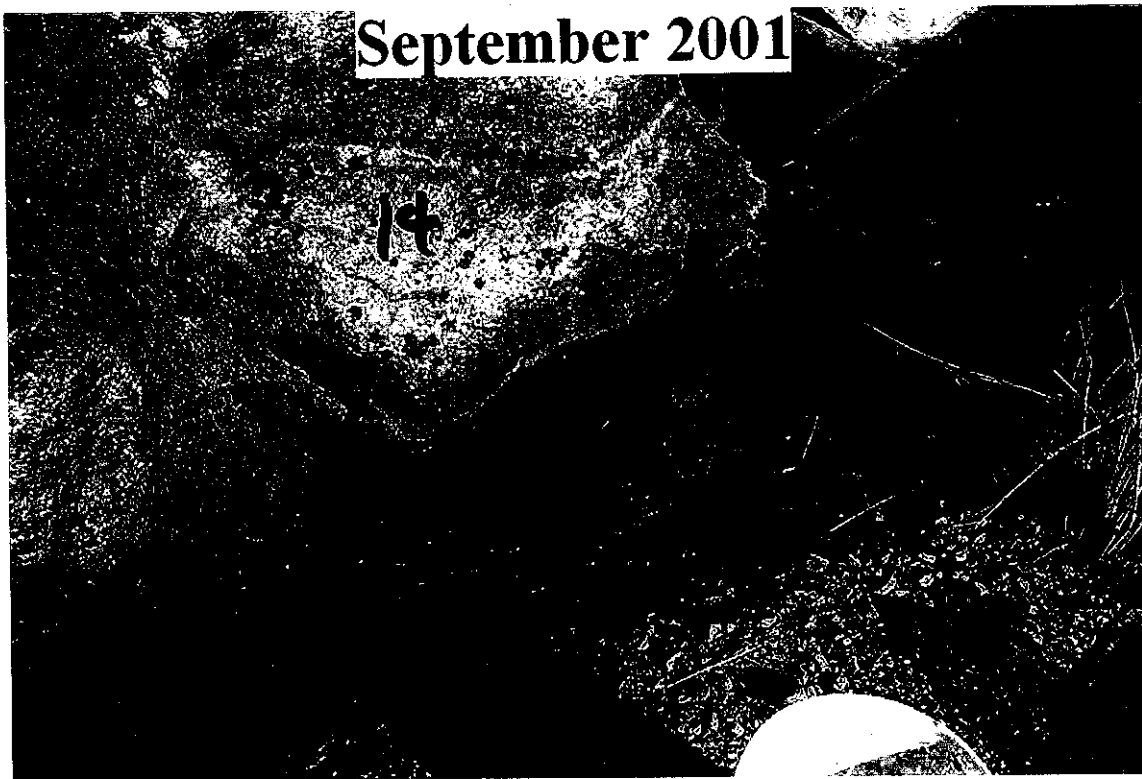


16

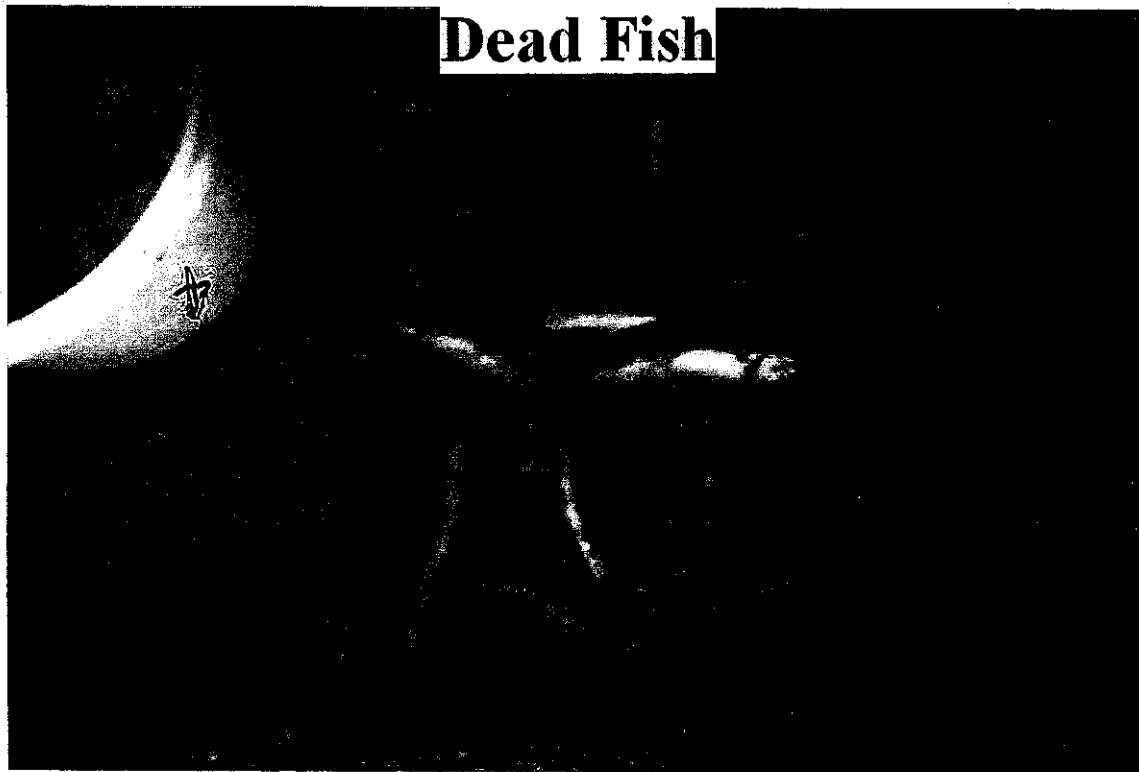
East Bridge Hydraulic Jump



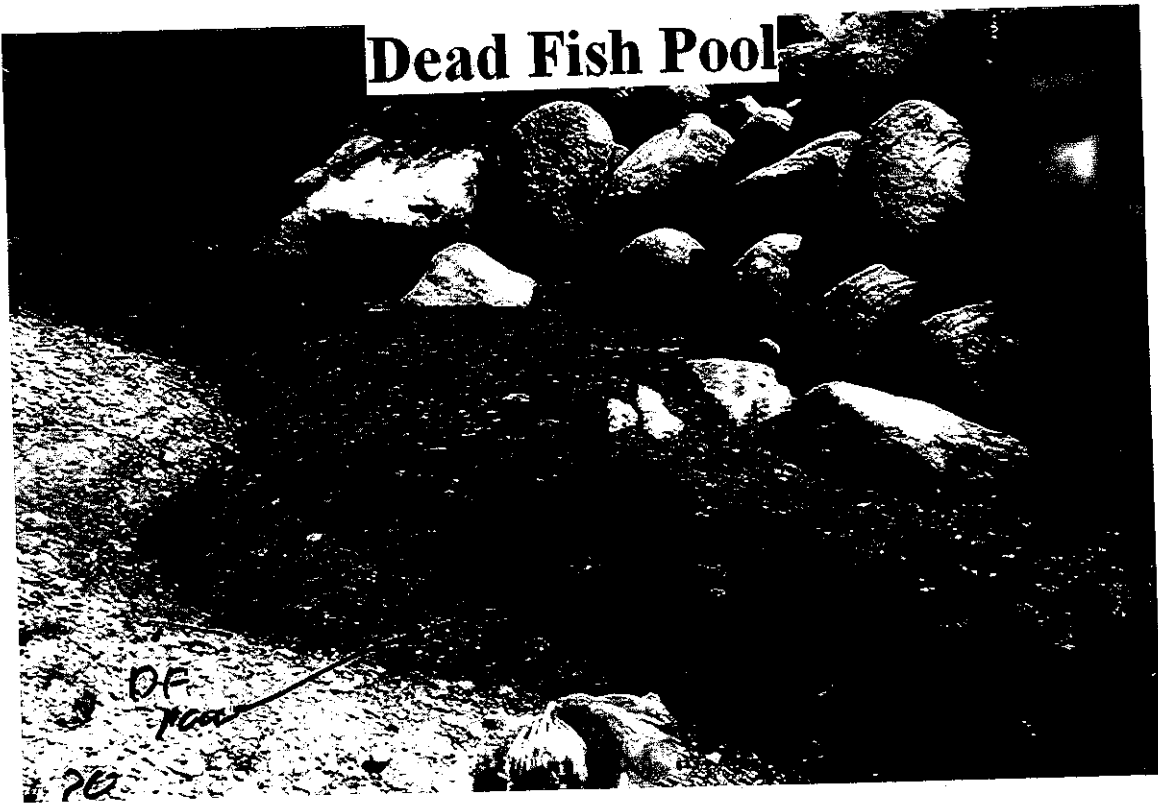
September 2001



Dead Fish

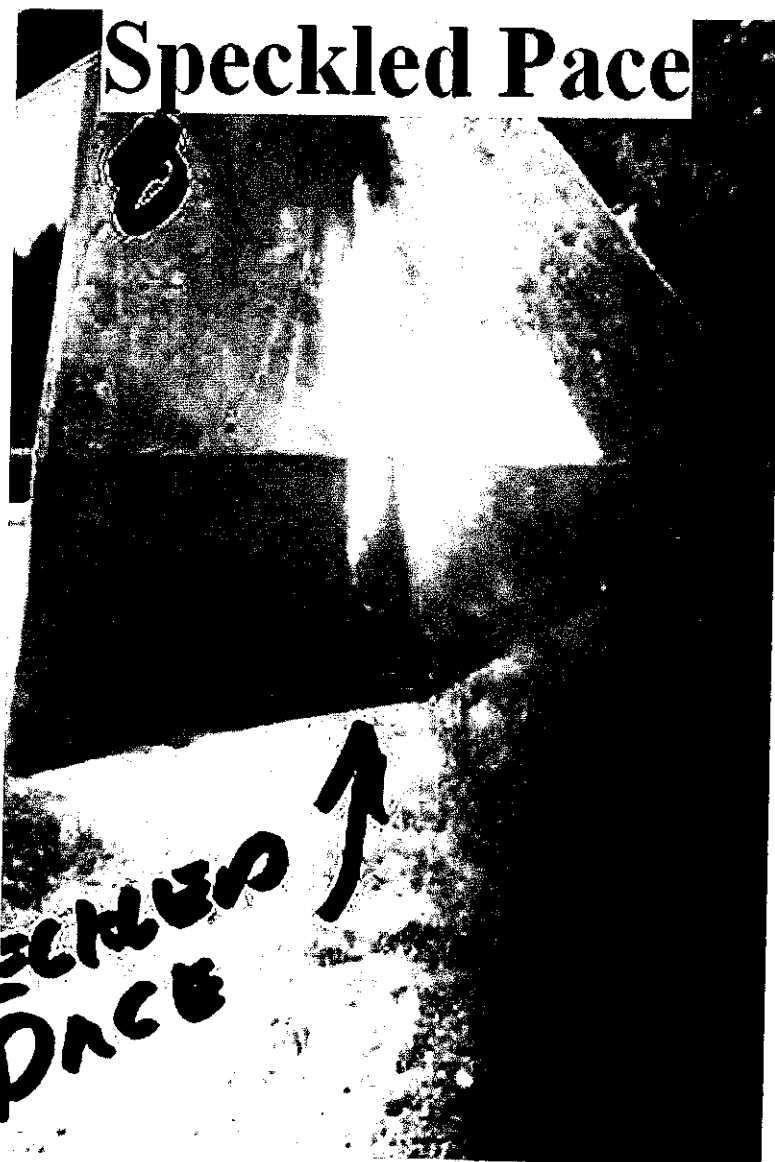


Dead Fish Pool



Dead Fish Pool Aug 2001



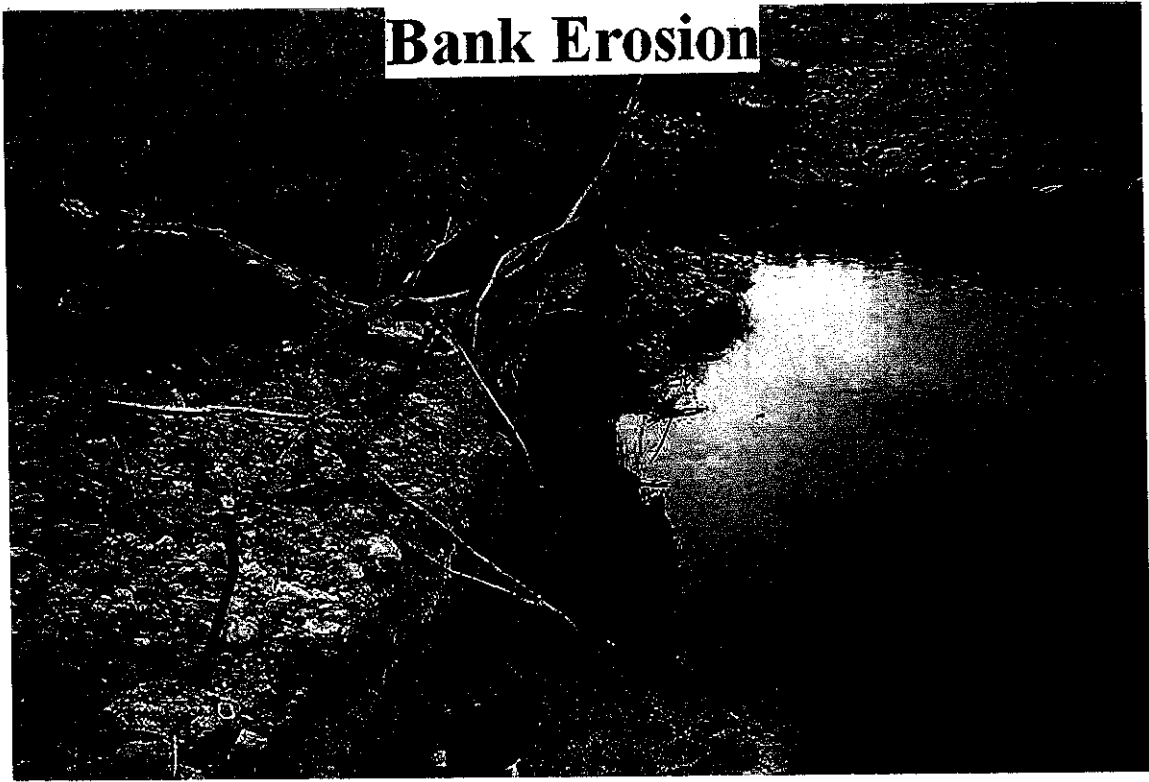


Litter

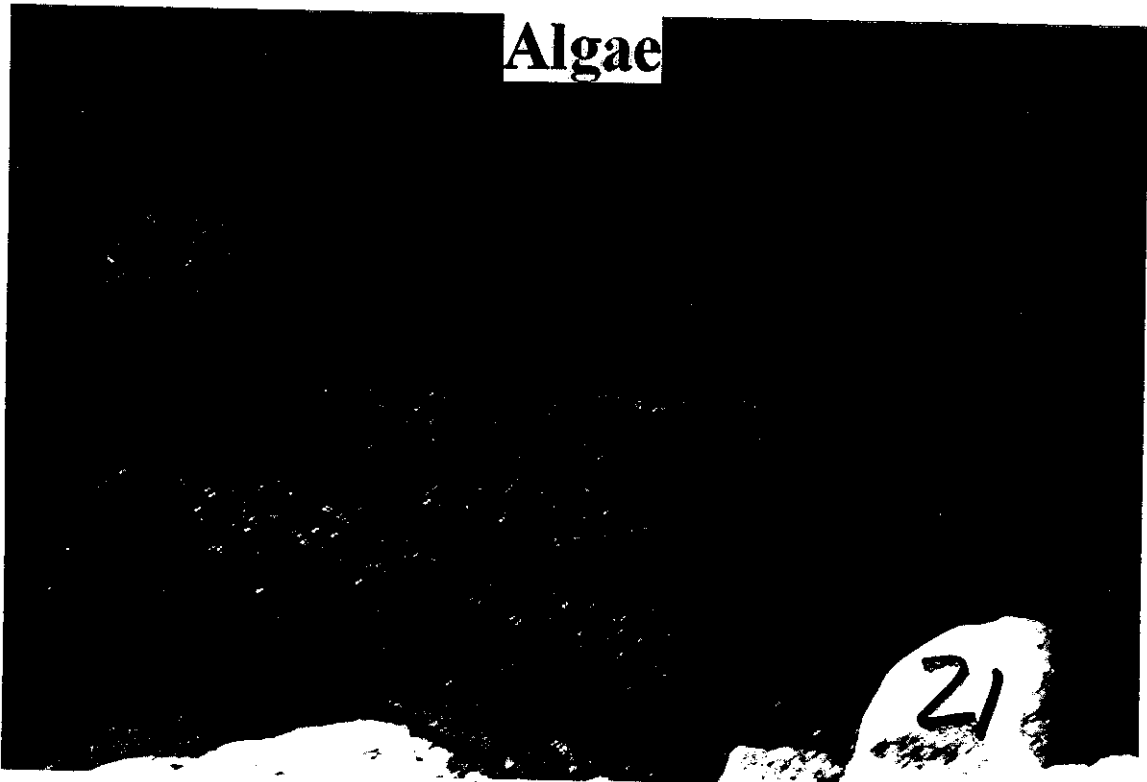
20



Bank Erosion



Algae



Algae Aug



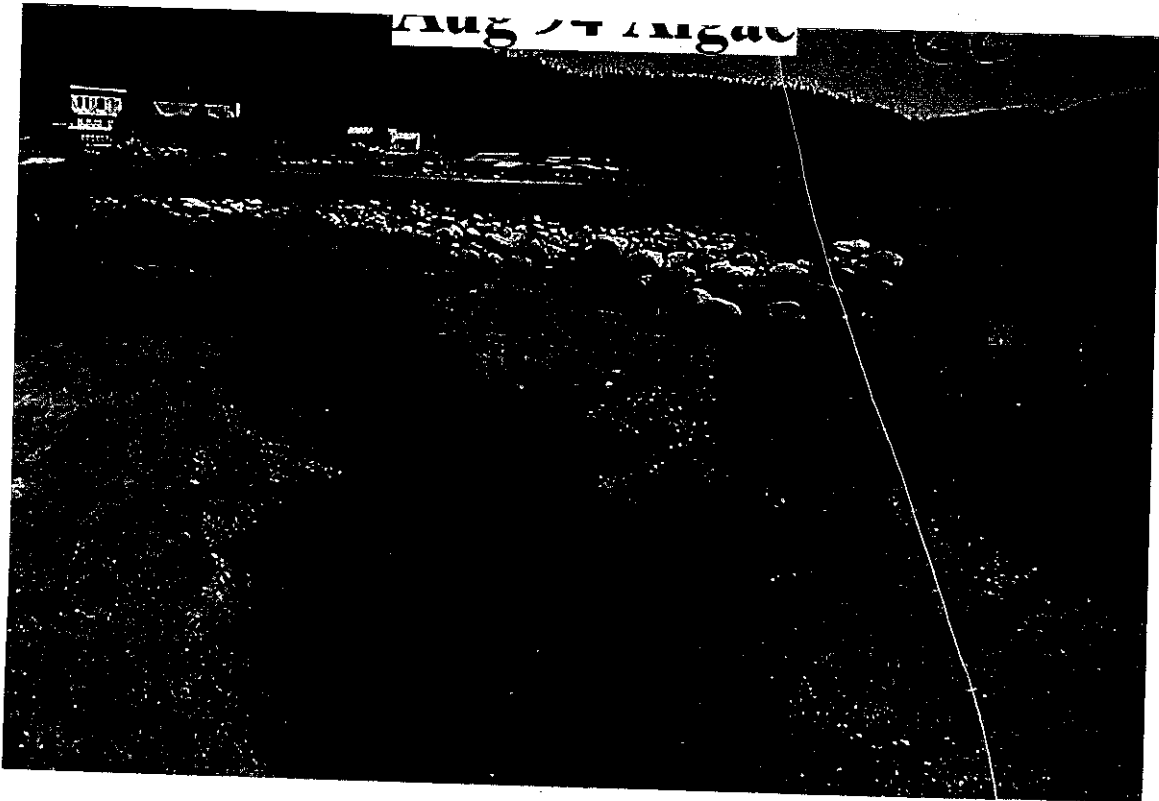
Aug 94 Fish Relocation Kill



Aug 94 Fish Kill Pond



Aug 94 Fish Kill Pond



Aug 94 Fish Kill



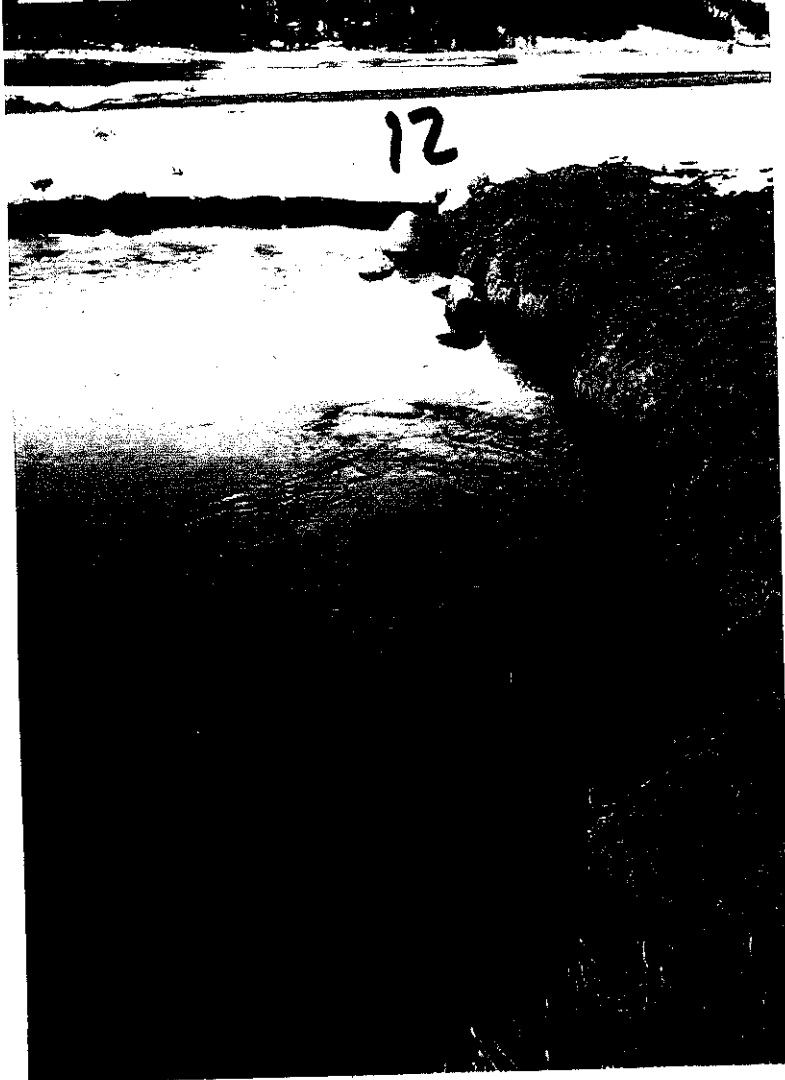
Aug 94 Fish Kill Algae Pond



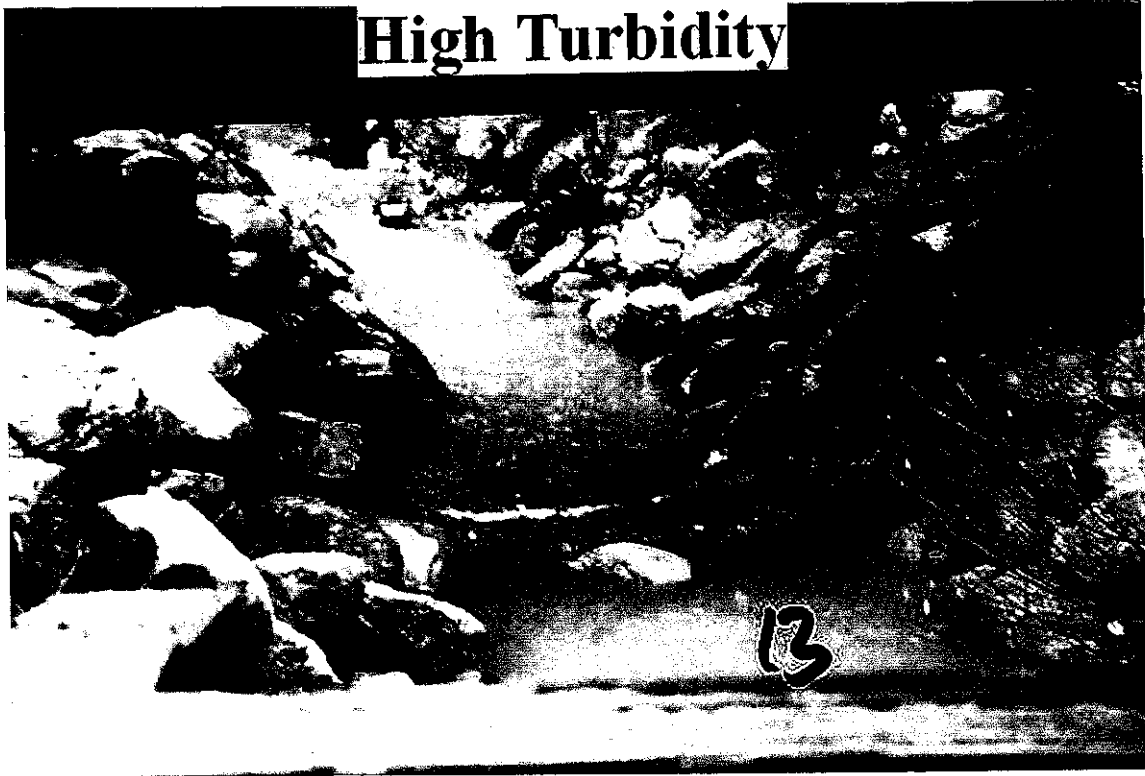
Squaw Creek at Truckee River April 2002



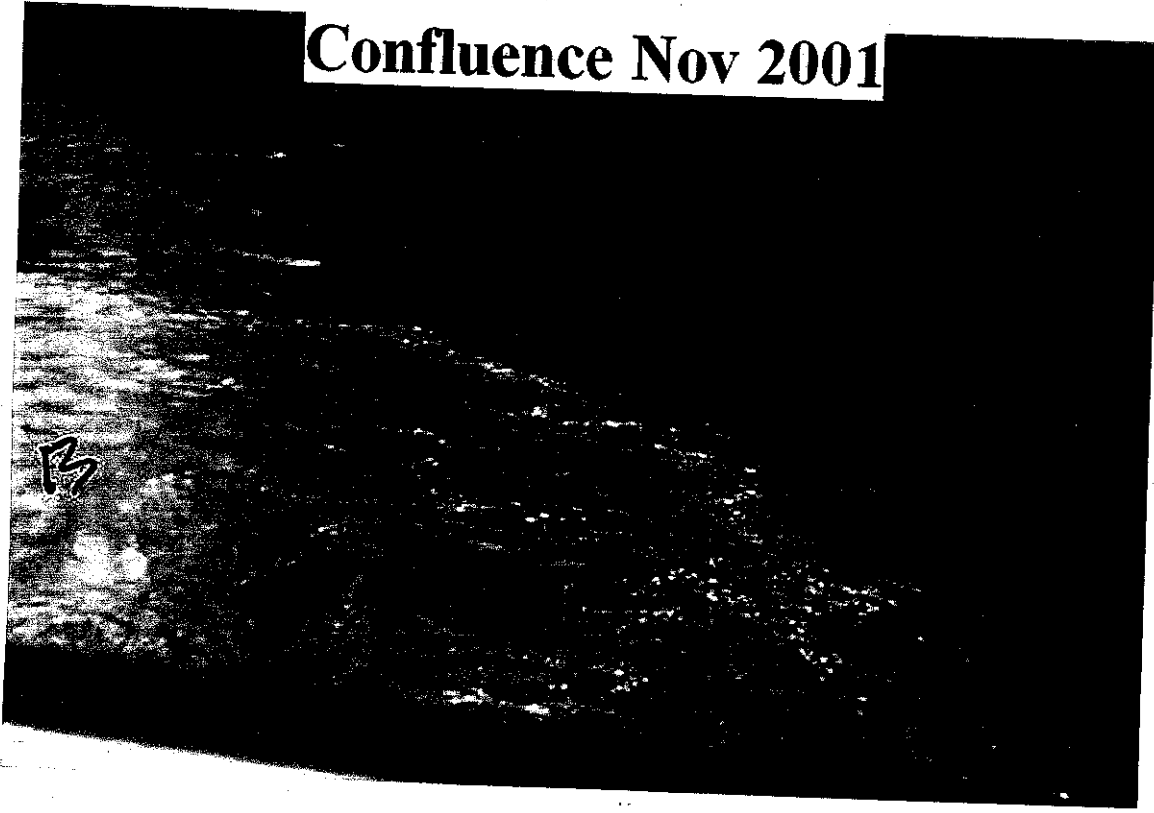
RipRap Failure April 2002



High Turbidity



Confluence Nov 2001



Confluence April 2002



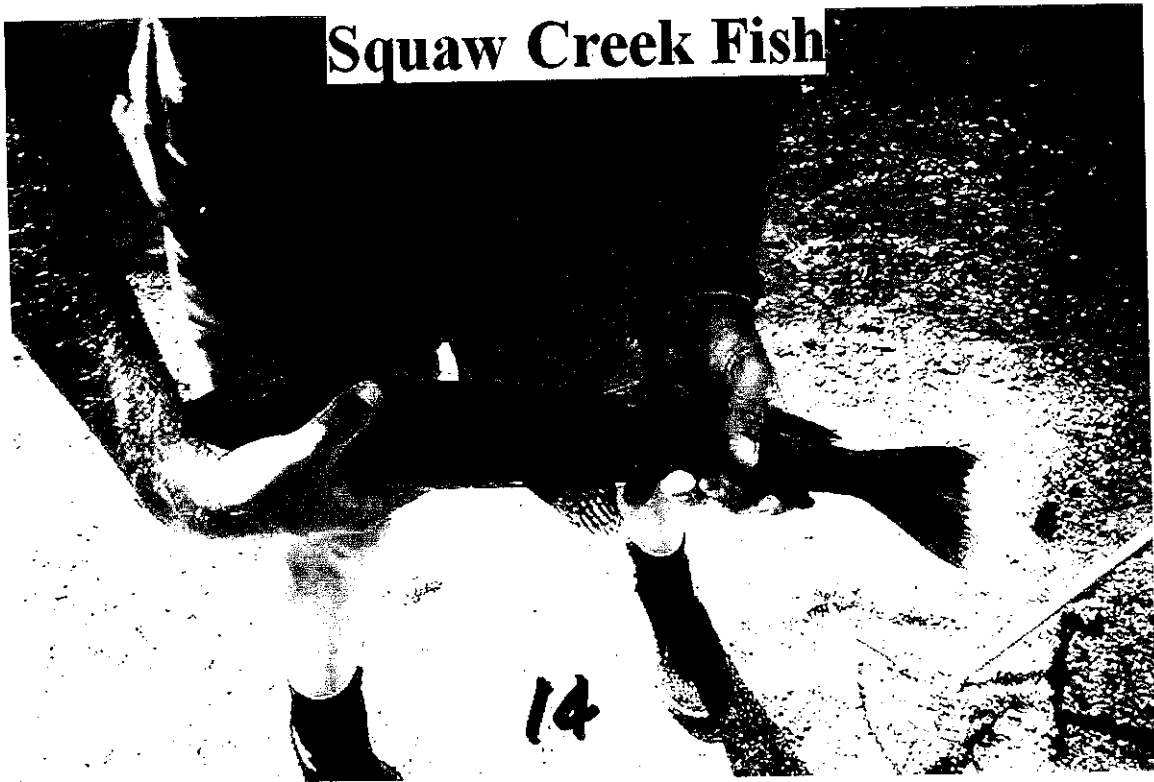
Algae at Upwelling Spring March 2002



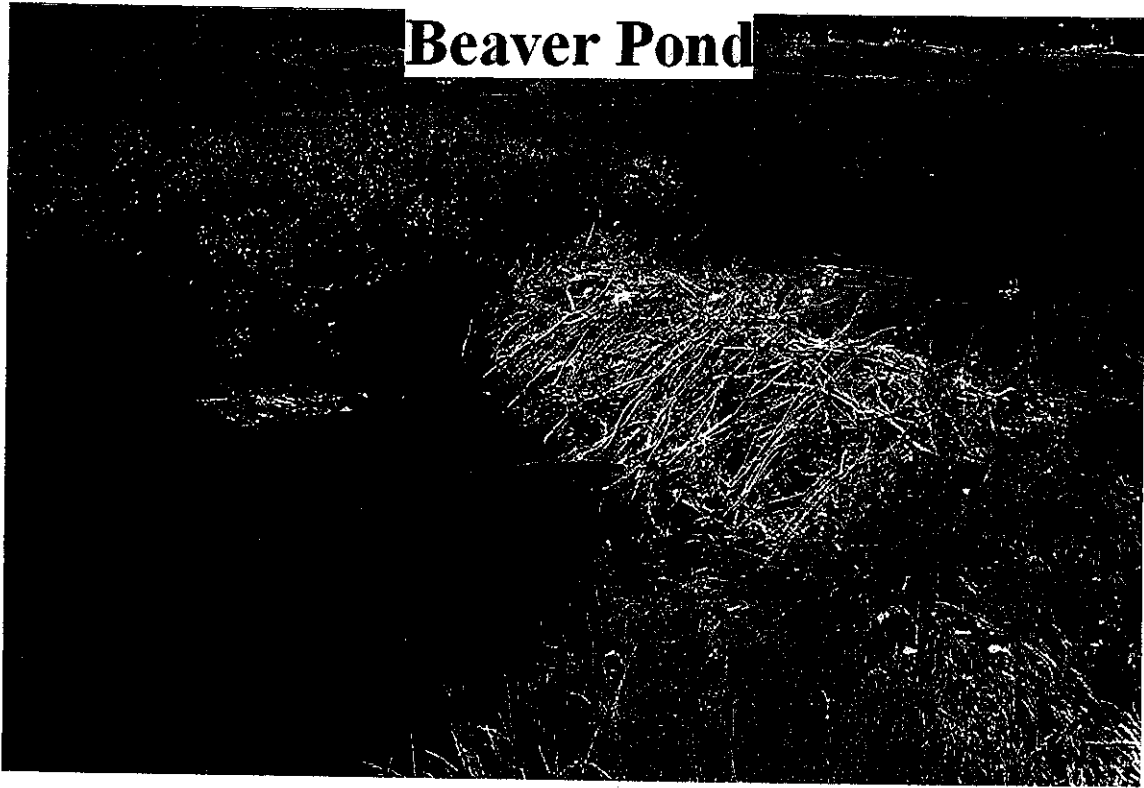
Surveying for Fish



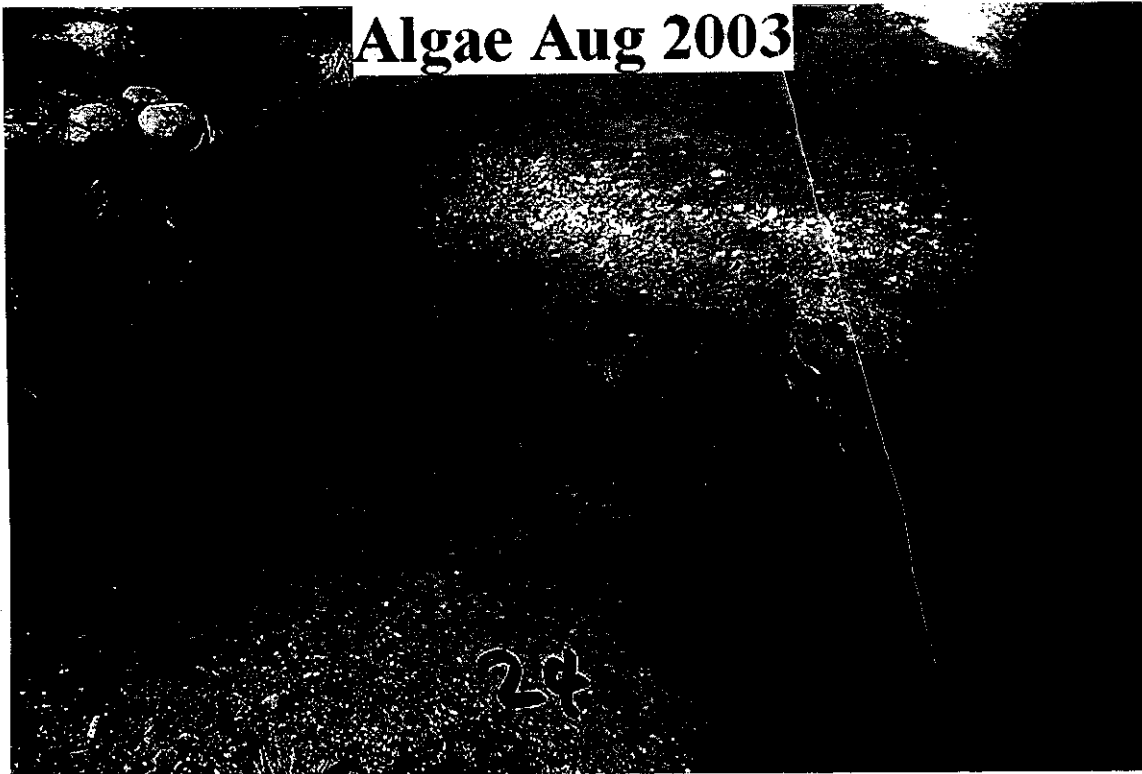
Squaw Creek Fish



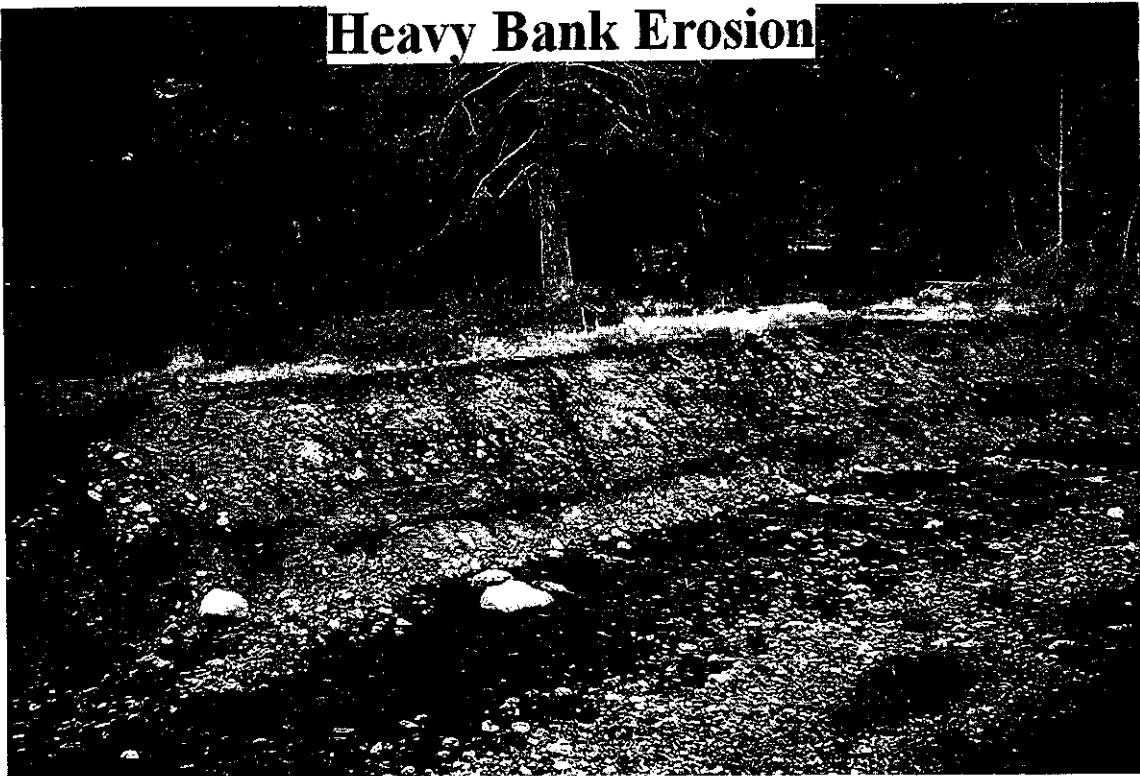
Beaver Pond



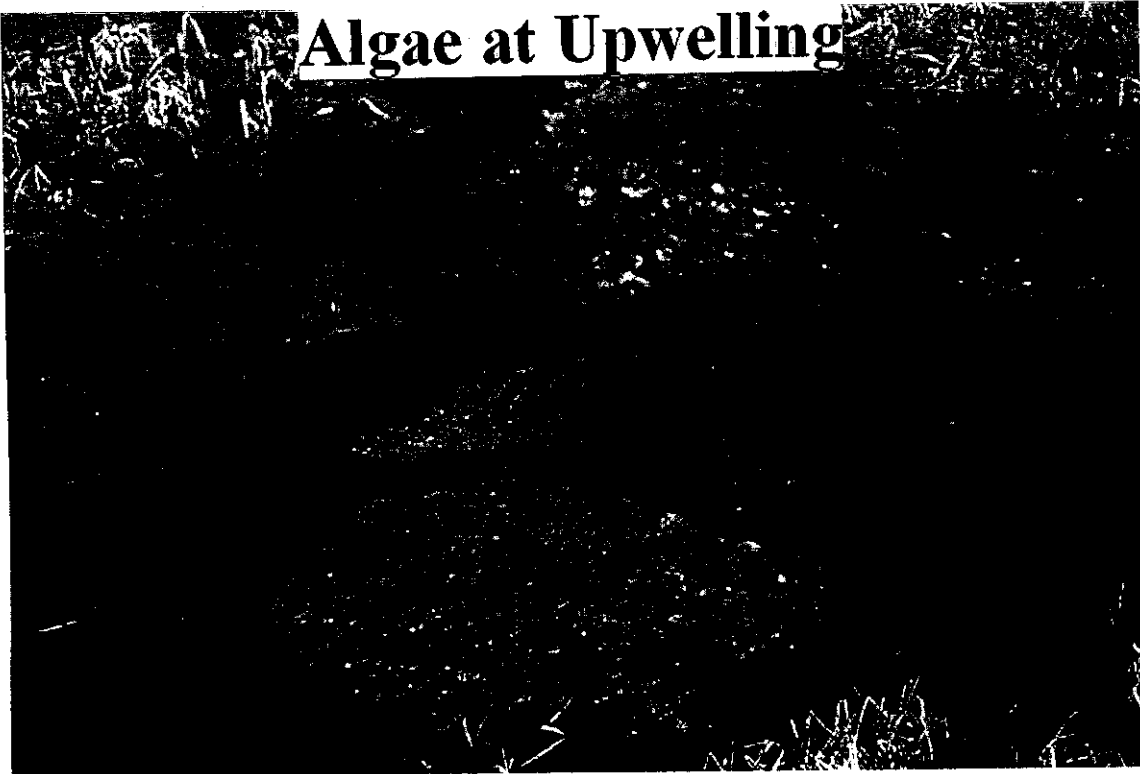
Algae Aug 2003



Heavy Bank Erosion



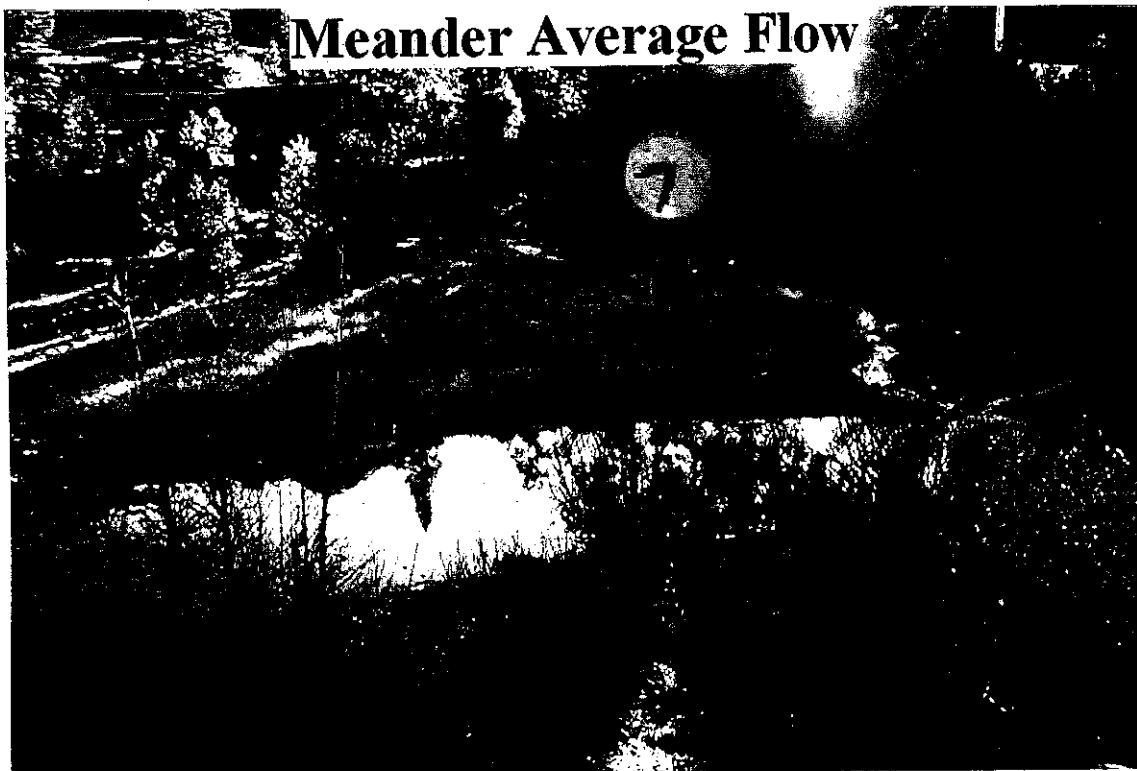
Algae at Upwelling



Meander Breech During May 1996 Flood



Meander Average Flow



Pool Overflow During May 1996 Flood



Establish Ripple Pool

