

Tuolumne County
Administration Center
2 South Green Street
Sonora, California 95370



Alicia L. Jamar, *Chief Deputy
Clerk of the Board of Supervisors*

Telephone: (209) 533-5521
Facsimile: (209) 533-6549
www.tuolumnecounty.ca.gov

**BOARD OF SUPERVISORS
COUNTY OF TUOLUMNE**

**Public Comment
303(d) List of 2014 & 2016 CA Integrated Report
Deadline: 7/10/17 by 12 noon**

Sherri Brennan, *First District*
John L. Gray, *Fourth District*

Randy Hanvelt, *Second District*

Evan Royce, *Third District*
Karl Rodefer, *Fifth District*

July 5, 2017



Via Email

commentletters@waterboards.ca.gov

California State Water Resources Control Board
P.O. Box 100
Sacramento, CA 95812-2000

Re: Comment Letter-303(d) List portion of the 2014 and 2016 California
Integrated Report

Dear Ms. Marcus:

The Tuolumne County Board of Supervisors writes in opposition to your staff's recommendations which includes adding four creeks in Tuolumne County within the Stanislaus National Forest to the Federal Clean Water Act Section 303(d) List for the Central Valley Region. The Board of Supervisors expressed concerns to the Central Valley Regional Water Quality Control Board regarding its use of old data and its apparent arbitrary cutoff date for data submission. This Board of Supervisors continues to hold these same concerns as your Board considers listing these same creeks as impaired.

Due to the data from the study conducted by Dr. Kenneth Tate and his team at the University of California Cooperative Extension in 2013 with replicated results in 2016, we request you consider "Do Not List" action for the 4 creeks in the Stanislaus National Forest-Bull Meadow Creek, Bell Creek, Niagara Creek and Rose Creek. With 92% of the 178 samples collected by the UCCE on the Stanislaus National Forest being below the USEPA recommended criteria value for E. coli, it seems clear that the need to develop TMDLs for these creeks is not only a low priority but is not necessary.

As you are aware, the Central Valley Board directed staff to evaluate options for assessing new information for potential off-cycle revisions of the 303(d) List. Should your Board choose to follow through on listing the four remaining creeks in Tuolumne

County found in your staff's report, the Board of Supervisors requests your consideration of an off-cycle revision to delist these creeks in a timely fashion.

In the letter dated December 20, 2016 from Ms. Creedon, Executive Director of the Central Valley Regional Water Quality Control Board to Mr. Howard, Executive Director of your Board, Ms. Creedon directed her staff to apprise your Board on how newer data, collected after the August 2010 cutoff date, could impact assessments and priorities. The Board of Supervisors wholeheartedly agrees with the statement in Resolution R5-2016-0083 that the August 2010 solicitation deadline resulted in consideration of data that was not fully representative of the most current conditions for Central Valley surface waters. With this in mind, the Board of Supervisors requests your Board consider a new process by which water bodies would be listed as impaired in the future. It is clear that using a cutoff date that is so far removed from the listing consideration date is not effective.

The Board of Supervisors is also supportive of the California Grazing Water Quality Partnership led by the UC Cooperative Extension that seeks to maintain and improve the quality and associated beneficial uses of surface and ground water as it passes through and out of the state's grazing lands. Tuolumne County intends to participate in this partnership that will work collaboratively with all stakeholders to provide education and outreach and work to maintain the many beneficial uses of the National Forest.

To recap, the Tuolumne County Board of Supervisors respectfully makes the following requests of your Board:

- Please consider adding Bull Meadow Creek, Bell Creek, Niagara Creek and Rose Creek to the Do Not List category of your Staff's Report due to more current and replicated water quality data
- Should your Board move to adopt your staff's listing recommendations, please consider an off-cycle revision to the Clean Water Act Section 303(d) List and allow the more recent data from the UC Cooperative Extension to be included for consideration.
- Consider your data collection process and your cutoff date for data submissions and work toward developing a more effective process that would more accurately demonstrate the current conditions of the landscape and water bodies.

- Allow the California Grazing Water Quality Partnership spearheaded by the UC Cooperative Extension to give your Board assurance that the water quality of these creeks will continue to remain unimpaired and that no further intervention, including TMDL development or use restrictions, will be necessary.

Thank you for your consideration of our requests.

Sincerely,



Randy Hanvelt
Vice Chair, Board of Supervisors