



August 30, 2010

Jeffrey Shu, State Water Resources Control Board
Division of Water Quality
P.O. Box 100
Sacramento, CA 95812-0100
VIA ELECTRONIC AND U.S. MAIL: jshu@waterboards.ca.gov

RE: Notice of Public Solicitation of Water Quality Data and Information for 2012 California Integrated Report [Clean Water Act Sections 305(b) and 303(d)]

Dear Mr. Shu:

This letter from the Environmental Defense Center (EDC) is responding to the State Water Resources Control Board's Notice of Public Solicitation of Water Quality Data and Information for 2012 California Integrated Report. EDC protects and enhances the environment through education, advocacy and legal action. EDC is specifically involved in protection and restoration of watersheds, streams, rivers and estuaries located in California's central coast.

Many streams and rivers in our region suffer from lack of flows caused by man-made activities including groundwater withdrawal and direct surface water diversions. Frequently, central coast rivers and streams that are not impaired in any other way and that suffer from virtually no *other* anthropogenic impacts are caused to go virtually dry and in many cases entirely dry from groundwater pumping and surface water diversions. Therefore, the SWRCB should consider anthropogenic reduced flows as an impairment of beneficial uses and designate streams and rivers as impaired accordingly.

As an example, Mission Creek in the City of Santa Barbara loses water and flow each year due to the Mission Tunnel, which operates as a French drain and draws down water in the vicinity of the Creek. Mission Tunnel is a two-mile unlined tunnel bored through the Santa Ynez Mountains bedrock almost a century ago to provide Santa Ynez River water to Santa Barbara City. Evidence suggests that the Tunnel is drawing water that would otherwise flow in the Creek. For example, although a thousand acre feet of water per year on average is diverted into the tunnel from the River, on average twice that amount comes out of the tunnel to the City. In addition, the Creek typically goes dry early in the season in the vicinity of the tunnel, while a short distance upstream and downstream it flows year-round. Historical records demonstrate that prior to the Mission Tunnel construction, Mission Creek flowed more reliably near the tunnel crossing. There are no other substantial alterations or water quality impairments that would cause this differential, other than Mission Tunnel. As a result, the Mission Tunnel sucks the creek dry so it is not usable for fishing, wildlife habitat or recreation.¹ In

¹ The City of Santa Barbara has begun making releases of water from Mission Tunnel into Mission Creek to try to minimize these effects.

this situation, and others, groundwater withdrawal is causing reduced and eliminated flow impairment independent of any other impairment. The SWRCB should designate creeks which suffer from such effects as impaired based on anthropogenic reduced flows.

Similarly, numerous creeks and rivers in our region are diverted for municipal and agricultural purposes. Typically in coastal streams, landowners run water diversion pipes up into the natural middle and upper portions of watersheds where streams are perennial and water is clean, cool and clear. Streams in these areas do not suffer from any notable environmental impacts and are in near pristine condition. However, the diversion dams and pipes often dewater the streams, eliminating flows below the point of diversion. This dewatering often occurs regardless of California Fish and Game Streambed Alteration Agreements (which often do not exist) and other agency permit conditions to protect instream flows.

Two examples, among many, are the private McCoy Creek water diversion² and the Bureau of Reclamation's Glen Annie Creek Dam in the Glen Annie Creek Watershed of Santa Barbara County. These surface diversions typically divert 100% of the surface flows and don't allow any bypass flows. When this occurs, the creeks below the diversions tend to go dry in the summer and fall – even when clean, unimpaired water is still flowing into the diversions. In these cases, the water diversions are not simply adding to high water temperatures or low dissolved oxygen – they are entirely dewatering streams. The SWRCB should designate such streams and rivers as impaired by anthropogenic reduced flows.

The California CoastKeeper Association (CCKA) has submitted a comment letter to you addressing the issue of reduced flow impairments. EDC also believes that reduced and ultimately eliminated flows are one of the worst impairments of beneficial uses in state waters, because in many cases there is inadequate water or no water in streams and rivers to provide aquatic habitat for species such as steelhead and red-legged frogs. From a biological habitat perspective, anthropogenic flow reduction is independent from and often a far worse type of impairment than having polluted water in a river or stream.

Anthropogenic groundwater withdrawals and surface diversion activities have serious impacts on water quality and beneficial uses. EDC urges the SWRCB to designate streams and rivers affected by reduced/eliminated flows as impaired.

For more information or to pursue these comments further, please contact me at (805)963-1622 X 108.

Sincerely,



Brian Trautwein

Environmental Analyst

² The McCoy Creek water diversion was constructed in 1984. In 2008 the 12" diversion pipeline melted in the Gap Fire so this diversion is temporarily out of service. Since the fire melted the pipe, the creek has flowed all the way down into Goleta City all summer long, something that has not happened since the diversion began operating in 1984.