CITY OF Taft
ADMINISTRATIVE OFFICES

August 28, 2007

Anthony Toto
Regional Quality Control Board
Central Valley Region
1685 E Street
Fresno, CA 93706

Subject: Triennial Review for the Tulare Lake Basin Comments – Declassifying Sandy Creek as a Water of the United States and dedesignating it as being a beneficial use for WARM

Dear Mr. Toto:

The City of Taft, Kern County, California would like to discuss the possibility of declassifying Sandy Creek as a Water of the United States, and dedesignate warm freshwater habitat (WARM) as being a beneficial use (see attached location map and photographs). Sandy Creek is a typically dry, non-navigable drainage channel that only contains water very rarely after extremely infrequent rain showers that typically do not last for more than half an hour. Per the definition of the Waters of the United States Sandy Creek should not be classified as a water of the United States for the following reasons:

a. Degradation or destruction of the channel would not affect interstate or foreign commerce.
b. No fish or shellfish could be taken or sold in interstate or foreign commerce from the Sandy Creek channel.
c. Sandy Creek cannot be used by interstate or foreign travelers for recreational or other purposes.
d. Sandy Creek is not and could not be used for industrial purposes by industries in interstate commerce.
e. Per the Regional Water Quality Control Board flood data from Federal Emergency Management Agency (FEMA) indicates that during a 100-year flood event water does not reach the historic Buena Vista Lake bed.

Sandy Creek should also be dedesignated for the benefit of warm freshwater habitat (WARM) because it is virtually always dry and would not be able support aquatic life. Any water that does enter the Sandy Creek channel does not remain long before it evaporates or permeates into the ground.

The City would like this request to be considered at the Public Workshop concerning the Triennial Review for the Tulare Lake Basin, as it would be beneficial for the City of Taft and surrounding area if Sandy Creek were declassified as a Water of the United States and dedesignated as being a beneficial use for WARM.

If you have any questions please call me at 323-6045.

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ADMINISTRATION 661/763-1222 • PUBLIC WORKS/PLANNING 661/763-3144 • FINANCE 661/763-1350
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BUENA VISTA
LAKE BED
CALIFORNIA AQUEDUCT
SANDY CREEK
SANDY CREEK
DRAINAGE AREA
BOUNDRY
HWY 119
HWY 166
FORD CITY
CITY OF
TAFT
HWY 33
CITY OF TAFT
SANDY CREEK HYDROLOGY STUDY
FIGURE 3
KEY MAP
ME Meyer
CE Civil Engineering, Inc.

CITY OF TAFT / SANDY CREEK AERIAL PHOTOGRAPH

SANDY CREEK PHOTOGRAPHS