



State of California – Natural Resources Agency
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GAVIN NEWSOM, Governor
CHARLTON H. BONHAM, Director



November 22, 2022

Ms. Eileen Sobeck
Executive Director
State Water Resources Control Board
Post Office Box 100
Sacramento, California 95812-0100

CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE NOTICE TO STATE WATER RESOURCES CONTROL BOARD REGARDING 2022 MERCED RIVER CONDITIONS

Dear Ms. Sobeck:

This letter is to alert the State Water Resources Control Board (SWRCB), Division of Water Rights, of conditions in the lower Merced River during the summer of 2022. On July 7, 2022, California Department of Fish and Wildlife (Department) staff monitoring the lower Merced River found it to be dry and disconnected from the San Joaquin River. The dry river conditions are a major concern of the Department. The fish and wildlife resources of the State of California are held in trust for the people of the State by and through the Department (Fish & Game Code § 711.7). The Department has jurisdiction over the conservation, protection, and management of fish, wildlife, native plants, and the habitat necessary for biologically sustainable populations of those species (Fish & G. Code § 1802). The mission of the Department is to manage California's diverse fish, wildlife, and plant resources, and the habitats on which they depend, for their ecological values and for their use and enjoyment by the public.

As part of the Department's drought monitoring efforts, staff began monitoring the lower Merced River conditions in May 2022 with weekly surveys of the lower five miles of the river. On July 7, 2022, staff observed the Merced River completely disconnected at Hatfield Park (River Mile [RM] 2.5). Surveys conducted from RM 4.5 to the confluence revealed a disconnected channel in several locations with intermittent wetting until July 28, 2022, when isolated pools had dried up and the riverbed remained dry. Monthly surveys were conducted, until October, for the same river reaches to monitor change or progress. Staff findings showed that the river remained fully disconnected from July through September (Figure 1) until the river reconnected on October 7, 2022. Although the lower Merced River became disconnected from the San Joaquin River, it is important to note that flows at Crocker Huffman were consistent through the summer of 2022 (Figure 2) and the Federal Energy Regulatory Commission minimum flow requirement of 15 cubic feet per second at Shaffer Bridge (RM 33) was met the entire time.

The Basin Plan for Sacramento and San Joaquin River Basins identifies the beneficial uses of the Merced River from McSwain Reservoir to the San Joaquin River as: contact and non-contact recreation including fishing, canoeing and rafting, warm and cold freshwater habitat, migration (warm and cold), and spawning (warm and cold) as well as for wildlife

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habitat (CRWCB 2019). All these beneficial uses require flowing water in the stream. In addition, for the Merced River to provide a migration corridor for warm-water or cold-water fishes, it needs to hydraulically connect to the San Joaquin River with enough water depth for fish to pass upstream which was not the case during the summer of 2022 (Figure 3).

We recommend the SWRCB investigate and address the factors contributing to the unusable conditions in the lower Merced River for native fish and wildlife and find solutions to avoid similar conditions in the future.

The Department looks forward to continuing to work with SWRCB to protect the Merced River and San Joaquin Basin. If you have questions regarding these concerns, please contact Mrs. Gretchen Murphey, Senior Environmental Scientist (Specialist). She can be reached by phone at (209) 617-1903 or by email at Gretchen.Murphey@wildlife.ca.gov.

Sincerely,

DocuSigned by:

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Julie A Vance
Regional Manager

cc: Kimberly D. Bose, Secretary
Federal Energy Regulatory Commission
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Washington DC, 20246

ec: See Page Three

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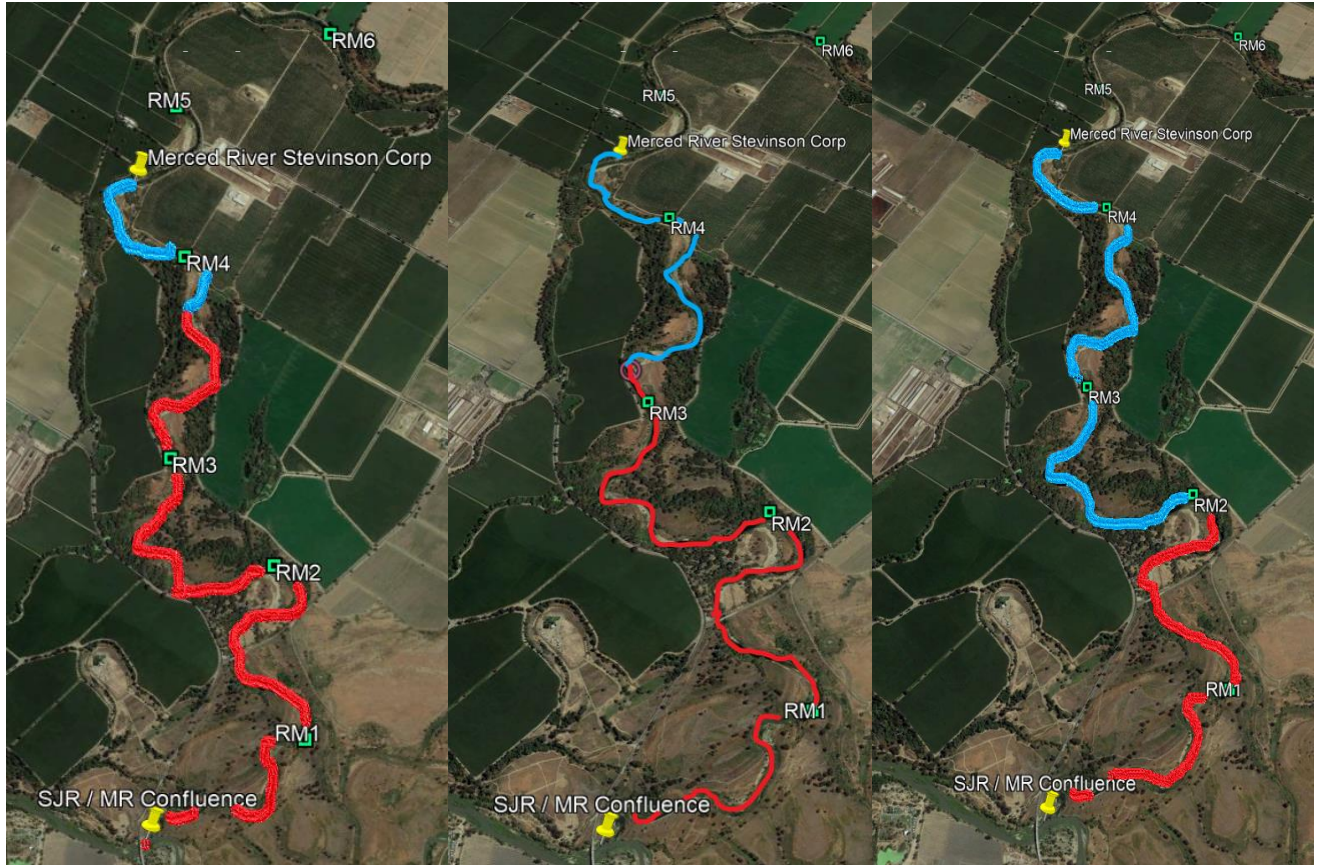


Figure 1. Maps of the dry portions of the lower Merced River in 2022. (blue traces indicated areas of wetted channel, while red traces indicate disconnected, dry portions or intermittent isolated pools.)

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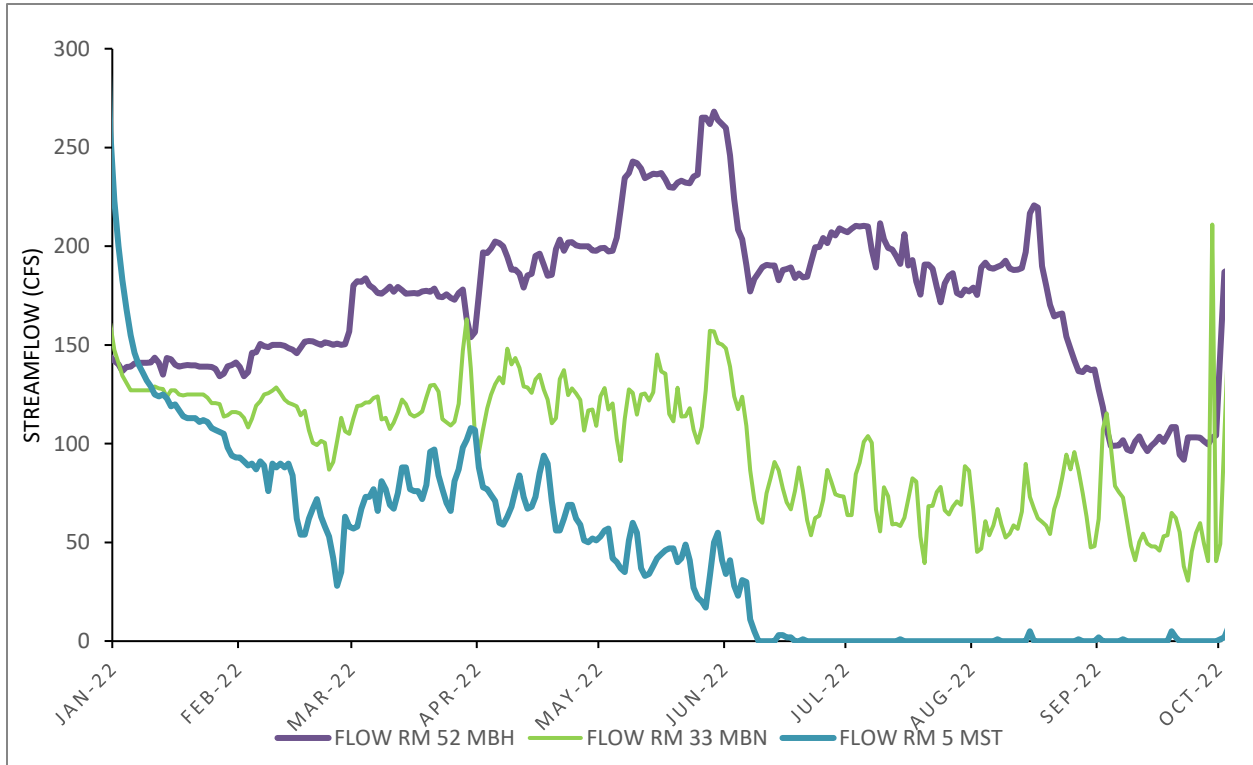


Figure 2. Mean daily flow below Crocker Huffman Dam RM 52 (MBH), Shaffer Bridge RM 33) (MBN) and Stevenson RM 5) (MST) Data obtained from CDEC

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Figure 3. Photographs taken from Hatfield Bridge (RM 2.5) on May 5, 2022 (top) September 14, 2022 (bottom). Left photo is looking downstream, right photo is looking upstream.

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