



MERCED IRRIGATION DISTRICT

July 20, 2018

Sent by email and US mail to: LSJR-SD-Comments@waterboards.ca.gov

California State Water Resources Control Board
Attn: Ms. Jeanine Townsend, Clerk of the Board
1001 "I" Street, 24th Floor
Sacramento, CA 95814

Re: Request for Additional Time – Proposed Amendments to the Water Quality Control Plan for the San Francisco Bay/Sacramento – San Joaquin Delta Estuary and Final Substitute Environmental Document

Dear Ms. Townsend:

The State Water Resources Control Board (the "State Water Board") released a Notice of Public Meeting and Consideration of Adoption of Proposed Amendments to the Water Quality Control Plan for the San Francisco Bay/Sacramento – San Joaquin Delta Estuary and Final Substitute Environmental Document (the "Final SED") on Friday, July 6, 2018. The State Water Board has indicated that written comment letters on the amendments to the Final SED must be received by noon on Friday, July 27, 2018.

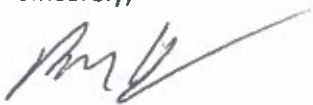
Merced Irrigation District ("MeID") is in the process of reviewing the Final SED, and Appendix K, and based on a preliminary review, it is clear that there is significant new information contained in Appendix K, and therefore in the Final SED. This new information, for example, an additional objective in Table 3 and changes to the numeric flow objectives for unimpaired flow in the San Joaquin, Merced, Tuolumne and Stanislaus Rivers, is significant, and has not been analyzed in the Final SED. There is also additional, substantial information and analysis that was not contained in the prior draft SED.

The State Water Board's process to update its Water Quality Control Plan for the Bay Delta has been ongoing since 2012. The last draft SED was released more than two years ago, and as drafted at the time stood to impair and confiscate senior water rights developed over generations for the benefit of others, with almost no benefit to fish. This one-sided and unsustainable plan would devastate an entire disadvantaged region without providing an adequate way to mitigate those impacts. Now, after having more than two years to analyze and respond to thousands of passionate comments opposing the plan, the State Water Board has provided stakeholders just 21 days to review and comment on its Final SED.

The State Water Board's attempt to limit stakeholder comments to just 21 days, and to exclude any comments whatsoever on the Final SED, is clearly inappropriate and illegal. There was no reason given explaining why the State Water Board is limiting public comment in this way, nor would any reason be justifiable. At a minimum, the California Code of Regulations require no less than 45 days for public comment.

MeID requests that the State Water Board recirculate its Final SED in order to allow public comment on the entire document, including the new information developed by the State Water Board over the last two years. If the State Water Board does not recirculate the Final SED, MeID requests that the State Water Board allow an additional 45 days for public comment. MeID also requests that the hearing to consider adopting the Final SED be rescheduled appropriately.

Sincerely,



Bryan Kelly

Deputy General Manager, Water Resources

Cc: Board of Directors, Merced Irrigation District (by email only)
Board of Directors, SWRCB Board (by email only)
Eileen Sobeck, Executive Director, SWRCB (by email only)

From: Jennifer McMaster <jmcmaster@mercedid.org>
Sent: Friday, July 20, 2018 2:44 PM
To: LSJR-SD-Comments@waterboards.ca.gov; WQCP1Comments
Cc: commentletters@waterboards.ca.gov
Subject: Comments to Final SED- Request for Extension of Time
Attachments: 2018-7-20 Request for Extension of Time-SED.pdf

Follow Up Flag: Follow up
Flag Status: Flagged

Good Afternoon,

Please find MID's attached letter dated July 20, 2018 from Bryan Kelly, Deputy General Manager, Water Resources.

Thank you,

Jennifer McMaster

Legal Assistant to the General Counsel

Ph: (209) 354-2880

Fax: (209) 354-2876

