

July 26, 2018

Submitted Electronically

Jeanine Townsend
Clerk to the Board
State Water Resources Control Board
1001 I Street, 24th Floor
Sacramento, CA 95814

Dear Ms. Townsend:

Re: Comment Letter – Revisions to Proposed Bay-Delta Plan Amendments

The West Turlock Subbasin Groundwater Sustainability Agency (WTS GSA), East Turlock Subbasin Groundwater Sustainability Agency (ETS GSA), Merced Irrigation-Urban Groundwater Sustainability Agency (MIU GSA), Merced Subbasin Groundwater Sustainability Agency (MS GSA), Stanislaus and Tuolumne Rivers Groundwater Basin Association Groundwater Sustainability Agency (STRGBA GSA), South San Joaquin Groundwater Sustainability Agency (SSJ GSA), and Oakdale Irrigation District Eastern San Joaquin Sub-basin Groundwater Sustainability Agency (OID ESJS GSA), and Eastside San Joaquin Groundwater Sustainability Agency (ESJ GSA) (collectively referenced in this letter as the “San Joaquin River GSA Group”) have reviewed the Notice and final proposal to amend the Bay-Delta Plan (Proposed Final Amendments) and a Final Substitute Environmental Document (SED) released by the State Water Resources Control Board (State Water Board) on July 6, 2018. The San Joaquin River GSA Group includes groundwater sustainability agencies (GSAs) formed in order to sustainably manage groundwater within the Merced, Turlock, Modesto and Eastern San Joaquin subbasins and otherwise comply with the Sustainable Groundwater Management Act (SGMA). The San Joaquin River GSA Group agencies are responsible for sustainably managing groundwater within the Proposed Project’s Plan Area. As the lead agency, the State Water Board has a duty to consult and request comments from the GSAs, because each GSA is a local agency which has jurisdiction and may exercise authority over resources potentially affected by the Proposed Project. (Public Resources Code, 21104(a), 21153(a); State CEQA Guidelines Section 15086(a)(3).) The State Water Board has not consulted with the GSAs, and the San Joaquin River GSA Group requests the State Water Board engage in this consultation prior to adopting the SED and Proposed Final Amendments.

In addition, the SED includes significant new information regarding SGMA in the responses to comments. For example, the SED includes the disclosure and analysis of groundwater dependent ecosystems in the response to comments. (Master Response 3.4 Groundwater and the Sustainable Groundwater Management Act, at 23-25.) This section includes significant new information and analyses that were not previously in the SED. Also, the SED includes new information on groundwater recharge that was not previously disclosed and the GSAs have not had the opportunity to comment on such new information. (*Id.*, at 14-15.) Per California Code of Regulations, title 14, section 15088.5, and title 23, section 3779(e), the San Joaquin River GSA Group requests the State Water Board recirculate the SED to allow GSAs to comment on this new information.

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Finally, the San Joaquin River GSA Group opposes the State Water Board's policy position to ignore SGMA in the SED. The SED does not analyze the impacts of the Proposed Project on the ability to achieve compliance with SGMA and reach groundwater sustainability. The State Water Board explains this position by stating the Notice of Preparation for the SED was dated 2009, SGMA was not yet in place, and such analysis would be speculative. This reason is deficient, especially in light of the State Water Board's recirculation of the SED in 2016 and release of the final SED in 2018, both after SGMA was an established law. It is also deficient because the State Water Board is responsible for SGMA enforcement and has been a proponent of sustainable groundwater management. The San Joaquin River GSA Group requests the SED be revised to analyze how the Proposed Project will impact compliance with SGMA and achieving sustainable groundwater management in the Proposed Project's Plan Area.

Sincerely,



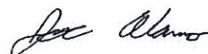
John B. Davids, P.E., Coordinator
 Stanislaus and Tuolumne Rivers Groundwater
 Basin Association GSA



Robert Kelley, Chair
 Merced Subbasin GSA



Alberto Rossini, Chair
 East Turlock Subbasin GSA



Joe Alamo, Chair
 West Turlock Subbasin GSA



Eric Thorburn, P.E.
 Oakdale Irrigation District Eastern San Joaquin
 Sub-basin GSA



Russ Thomas
 Eastside San Joaquin GSA



Robert Holmes, Chair
 South San Joaquin GSA



Hicham Eltal, P.E.
 Merced Irrigation-Urban GSA

From: Debbie C. Liebersbach <dcliebersbach@tid.org>
Sent: Thursday, July 26, 2018 5:57 PM
To: 'LSJR-SD-Comments@waterboards.ca.gov'; WQCP1Comments
Subject: Comment Letter - Revisions to Proposed Bay-Delta Plan Amendments
Attachments: Phase 1 GSA Comment Letter 7-26-2018.pdf

Please consider the attached comments regarding proposed revisions to the Bay-Delta Plan.

A return email notification that the comments have been received would be greatly appreciated.