



San Joaquin River Group

- Modesto Irrigation District
- Turlock Irrigation District
- South San Joaquin Irrigation District
- San Joaquin River Exchange Contractors

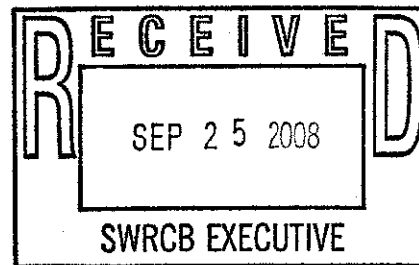
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- Merced Irrigation District
- Oakdale Irrigation District
- Friant Water Users Authority
- City and County of San Francisco

State Water Resources Control Board
c/o Jeanine Townsend
1001 I Street, 24th Floor
Sacramento, CA 95812-2815

September 25, 2008

Re: Periodic Review Comment Letter



Dear Members of the Board:

We have sent you two letters, one for SJR Flow and one for Salinity, for inclusion in your evidentiary hearings. We incorporate those letters into these comments for your Periodic Review. These comments are made on behalf of the San Joaquin River Group Authority.

1. San Joaquin River Flow Objectives: February-June.

As we have previously stated there is a disconnect between how the Flow index is calculated and available water supply in the SJR Basin. The index is largely driven by Sacramento River Flows. In 2003 the USBR was making flood control releases on the Sacramento River. Those flood control releases cased X-2 to be moved West of Chipps Island. The Vernalis Flow requirement then went to 2,280 cubic feet per second. This was in a year when the SJR Basin was "Dry".

Clearly there needs to be a better alignment between X-2 flow and water availability tied to a SJR Basin type of Index. We previously provided the Board with such an Index. Since X-2 is a CVP obligation it could be as easy as looking at New Melones Storage.

X-2 Flow Requirements from the San Joaquin River for February-June need to be eliminated. The San Joaquin River does not contribute to Delta Outflow. Almost 100% of SJR in Critical, Dry and Below Normal years February-June is either exported through the SWP or CVP facilities or is consumed in the Delta. There is no reason to have a Delta Outflow component for the San Joaquin River when 100% of San Joaquin River water is being consumed or pumped.

2. The SWRCB should clarify the narrative objective for salmon protection on Table 3 in the 1995 WQCP. We believe the Narrative Standard needs to be clarified as to the following:
- a. Production should be defined as set forth in Cal. F&G Code Section 6911.
 - b. The doubling objective is a goal rather than an absolute. See Cal. F&G Code Section 6902(a). There should be a clear and concise definition of the "doubling goal". Also, it should be clear that it is the state "doubling goal, not the Federal "doubling goal".
 - c. The goal is for the entire San Joaquin/Sacramento/Bay-Delta Basin.
 - d. There is no "doubling goal" for individual rivers, nor should there be.
 - e. The installation of a permanent operable head of Old River Barrier as set forth in the 1995 WQCP should be a condition of any requested change permit by DWR or the USBR at the export pumps.

3. Dissolved Oxygen at the Deep Water Ship Channel Stockton (DWSC).

The Dissolved Oxygen objective at the DWSC should be revised June 15-September 15. The current standard is set to protect coldwater fish species, Fall Run Chinook salmon and steelhead as they move through the DWSC. The Data shows no Fall Run Chinook salmon or Steelhead present in the DWSC June 15-September. The objective should be changed to protect a warm water fishery June 15-September 15.

4. Basin Planning and TMDL's.

The 1995 WQCP must be integrated with proposed TMDL's and Basin Plan Amendments under those processes. The CVRWQCB in its Draft Amendments to the WQCP for the Sacramento and San Joaquin River Basins for salt and boron states at p. 72 that the USBR cannot meet the EC requirement at Vernalis because New Melones does not have sufficient water. The CVRWQCB states because there is not sufficient water in New Melones to meet the standard, then there is a need to allocate load and responsibility to meet the EC objective at Vernalis. The CVRWQCB completely ignores D-1641 wherein the SWRCB found the USBR was responsible for the salt problem and concluded that all CVP facilities were available to the USBR to meet the EC requirements at Vernalis. The EC requirement at Vernalis has been met every year since 1995 and the USBR has stated it will continue to meet the EC requirements at Vernalis.

Very truly yours,

By:


TIM O'LAUGHLIN

cc: SJRG