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October 30, 2017

VIA E-MAIL

Jeanine Townsend, Clerk to the Board
State Water Resources Control Board
P.O. Box 100
Sacramento, CA 95812-2000
E-mail: commentletters@waterboards.ca.gov



Re: Comments of the Merced Irrigation District to Proposed Approval of the Amendment to the Water Quality Control Plan for the Sacramento River and San Joaquin River Basins to Adopt Electrical Conductivity Water Quality Objectives for the Lower San Joaquin River

Dear Ms. Townsend:

The following comments are submitted on behalf of the Merced Irrigation District ("MID"). MID thanks you for the opportunity to submit comments regarding the proposed amendment to the Water Quality Control Plan for the Sacramento River and San Joaquin River Basins to adopt electrical conductivity water quality objectives for the Lower San Joaquin River, Reach 83, which is defined as the San Joaquin River from the confluence of the Merced River to the Airport Way Bridge near Vernalis. MID previously provided comments to the Central Valley Regional Water Quality Control Board (CV-RWQCB) on the proposed amendment.

MID is a California irrigation district and the owner and operator of the Merced River Hydroelectric Project licensed by the Federal Energy Regulatory Commission. MID diverts water from the Merced River primarily for irrigation use. MID has a direct interest in the establishment of electrical conductivity water quality objectives and related management actions in Reach 83 of the lower San Joaquin River.

As part of its previous comments to the proposed amendment, MID noted that while the Staff Report (p. 1) states that the natural flows from the upper San Joaquin River to the lower San Joaquin River have been severely diminished due to diversions at Friant Dam via the Friant-Kern Canal to irrigate crops outside of the San Joaquin River Basin, it makes little to no mention

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October 30, 2017

Page 2

of the now-instituted Restoration Flows from Friant under the San Joaquin River Restoration Program (“SJRRP”). (See e.g., Staff Report, p. 20 or Appendix F, p. 204.) As such, MID commented that it was unclear from reviewing the Staff Report how the increased assimilative capacity of such Restoration Flows were considered in the modeling analysis presented assessing the feasibility of achieving the proposed water quality objectives or in the assessment of cumulative environmental impacts in Chapter 9. In its response to this comment, the CV-RWQCB stated that it had not incorporated SJRRP Restoration Flows into its modeling analysis because current planning call for Restoration Flows to be diverted upstream of the Merced River and because inclusion of Restoration Flows into the analysis would add an additional level of certainty. Instead, the CV-RWQCB indicated that the re-opener in ten years offered an opportunity to assess the impacts of activities of the SJRRP on water quality in the river.

MID respectfully disagrees that the analysis should not have included the impact of Restoration Flows in the Lower San Joaquin River. Restoration Flows are released to the San Joaquin River each year and affect conditions in the San Joaquin River. Further, the 2015 Revised Framework for Implementation of the SJRRP envisions the completion of many channel improvements within the next five to ten years that would facilitate the release of Restoration Flows downstream of the confluence of the Merced River. Because Restoration Flows are likely to be present below the confluence of the Merced River within the next five to ten years, the current analysis and assessment of environmental impacts should have incorporated the effects of SJRRP Restoration Flows instead of postponing such an analysis for ten years.

Very truly yours,



Jolie-Anne S. Ansley

JSA

cc: Phillip McMurray, Merced Irrigation District