



March 17, 2017

Ms. Jeanine Townsend
Clerk to the Board
State Water Resources Control Board
1001 I Street
Sacramento, CA 95814
Via email: commentletters@waterboards.ca.gov

Re: Comment Letter – 2016 Bay Delta Plan Amendment & SED

Dear Ms. Townsend:

Agricultural Council of California (Ag Council), representing over 15,000 farmers throughout the state ranging from farmer-owned businesses to some of the world's best-known brands, writes to respectfully oppose the draft revised Bay-Delta Plan Substitute Environmental Document (SED), which establishes water quality objectives in the Bay-Delta and defines how to implement those objectives.

Ag Council appreciates that the State Water Resources Control Board held three hearings in the Northern San Joaquin Valley on the SED, as well as two hearings in Sacramento. The hearings gave thousands of people who would be impacted by the SED the opportunity to provide comments, including some of our own members. However, we remain troubled that the SED was initially developed without input from those in the impacted region who have expertise in the management of the Merced, Stanislaus, and Tuolumne Rivers, as well as the residents who live and work in the affected areas. For example, between the 2012 version of this document and the September 2016 release of the draft revised SED, the locally affected community received scare information and engagement from the Board staff, although communication and direction was requested from the local region.

The lack of early outreach and communication with local communities is both frustrating and heartbreaking because slashing the region's surface water supplies further impacts an already disadvantaged area. Unemployment is at 12.6 percent in Merced County and 8.9 percent in Stanislaus County--much higher than the statewide average of 5.1 percent. At peak implementation of the SED, a study released by Stratecon Inc. in December 2016 reveals that employment is cut by about 6,500 jobs and total economic output is reduced in the region by \$1.4 billion. The severity of this economic hit cannot be understated because the region is currently suffering under the strain of poverty with Merced County ranked third highest in the state in child poverty at 38.1 percent and Stanislaus County ranked sixteenth at 23.7 percent, according to a January 2017 study conducted by UC Davis, *California's San Joaquin Valley: A Region and Its Children Under Stress*. Finally, with the loss of surface water under the SED,

the plan also endangers both water quantity and quality, thereby jeopardizing drinking water in this already poverty stricken region.

In addition, Ag Council is concerned the analysis provided in the SED with regard to crop revenues and land fallowing does not reveal the truly crushing impact of the plan on agriculture. By focusing on average annual impacts, the plan disguises the volatility resulting from the SED. According to the Stratecon study, actual single year crop revenue losses often surpass \$200 million and could grow as high as \$455 million under both the SED and the Sustainable Groundwater Management Act (SGMA). Also, crop revenues in the area will be lowered by an average of \$101 million per year due to land fallowing, per the Stratecon study, after the SED and SGMA are implemented. This is three times the amount estimated by the Board after accounting for inflation.

The SED states that lost surface water in the region will be countered by an increase in groundwater pumping. This is perplexing since such action would seem to be contrary to the intent of SGMA written to protect groundwater resources. In addition, since local areas are developing SGMA governance structures at this time, and implementation of the law will occur over many years, the affect of SGMA on groundwater is not yet known. Therefore, we do not know whether groundwater can supplement agricultural water lost under the SED.

We respectfully request that the Board not view the SED in isolation given there are serious questions surrounding how this proposal impacts SGMA. As such, we encourage the Board staff to engage with their sister federal and state agencies to seek out information and data as to how SGMA and the SED will comport with one another.

Further, a recently passed federal law seeks to protect salmon, as well as study the best mechanism to protect the Delta Smelt. We ask the board to evaluate the steps proposed in the SED with the new federal law in mind and determine the best path forward with local water managers and officials.

Above all, we encourage the Board and staff to work toward a transparent process that engages local water managers and the impacted communities in a more meaningful way prior to any final actions. Thank you for your consideration of Ag Council's comments.

Sincerely,

A handwritten signature in black ink that reads "Emily Rooney". The signature is written in a cursive, flowing style.

Emily Rooney
President
Agricultural Council of California