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August 19, 2016

## LATE COMMENT

Public Comment  
Statewide Dredge or Fill Procedures  
Deadline: 8/18/16 by 12:00 Noon

Ms. Jeanine Townsend  
State Water Resources Control Board  
1001 I Street, 24<sup>th</sup> Floor  
Sacramento, CA 95814

Subject: Statewide Dredge or Fill Procedures



Dear Ms. Townsend:

Glenn-Colusa Irrigation District (GCID) appreciates the opportunity to provide comments regarding the proposed amendments to the California Ocean Plan and Inland Surface Waters, Enclosed Bays, and Estuaries of California Plan to Include Procedures for Discharges of Dredged or Fill Materials to Waters of the State (Proposed Procedures). Upon review of the Proposed Procedures GCID submits the following overarching comments:

1. Broad scope with vague definitions, which must be developed and opened for a subsequent public review comment period.
2. Evaluations on a case-by-case basis conflicts with the overlying objective to unify the requisites and review standards amongst the nine Regional Water Quality Control Boards by enabling reviewer opinion to override Proposed Procedures.
3. The compensatory mitigation comprises sweeping measures that are cost-benefit prohibitive.

Please refer to the enclosed Exhibit A for the tabulated series of detailed comments regarding the Proposed Procedures. Furthermore, please note that GCID endorses the comment letter submitted by the coalition of water attorneys, which includes approval from the Association of California Water Agencies (ACWA). Please feel free to contact me at (530)934-8881 if you have any comments or questions.

Sincerely,

Zachary W. Dickens  
District Engineer

Enclosures (1)

cc:

Thaddeus L. Bettner, GCID

**Exhibit A:** GCID Comments Regarding Proposed Procedures

Wetland specific comments	
Comment A.	<p>The State Water Resources Control Board (Board) has yet to establish the “complete list or categorical descriptions” of what constitutes waters of the state outside of waters of the U.S. Therefore, the Proposed Procedures must be re-drafted to include specific descriptions for public review and comment in a subsequent comment period.</p> <p><i>Proposed Procedures reference:</i> -Pg. 1 lines 37-40</p>
Comment B.	<p>The Board could classify sites on a case-by-case basis, which could leave designations to be open to reviewer bias and opinion. Furthermore, this mode of evaluation would detract from unification of review standards amongst the nine Regional Water Quality Control Boards.</p> <p><i>Proposed Procedures reference:</i> -Section II., pgs 1-2</p>
Dredging specific comments	
Comment C.	<p>Applicant must perform a wetland delineation regardless of whether it is waters of the U.S. or state. This would generally require the applicant to hire a biological consultant to perform the wetland delineation, which imposes undue expenses on the applicant.</p> <p><i>Proposed Procedures reference:</i> - Pg 3, line 105-107</p>
Comment D.	<p>Actions to minimize adverse effects and compensatory mitigation for losses of Aquatic Resources contains an extensive array of measures cited therein, such as utilization of silt screens and the potential for on or off-site mitigation. Mitigation requires at minimum, a one-to-one (dredged area to mitigation area) acreage offset [see page 31, line 1105-1107], which may be cost-benefit prohibitive.</p> <p><i>Proposed Procedures reference:</i> - Appendix A Subpart H, pgs. 18-22 - Appendix A Subpart J</p>