

# Appendix F

## Responses to Comments

January 2015





# PARAMOUNT

## FARMING

SENT VIA E-MAIL

November 03, 2014

Alexis R. Phillips-Dowell, Senior Engineer  
Department of Water Resources, South Central Region Office  
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Fresno, CA 93726  
[aphillips@water.ca.gov](mailto:aphillips@water.ca.gov)

Re: Comments on the Draft Channel Capacity Report for the 2015 Restoration Year

Dear Ms. Phillips-Dowell:

Paramount Farming Company, as agent for Paramount Land Company LLC and Paramount Pomegranate Orchards LLC (Paramount) submits the following comments on the Draft Technical Memorandum and Channel Capacity Report for the 2015 Restoration Year (2015 Draft Report). The Draft Report is issued as part of the San Joaquin River Restoration Program (SJRRP) to determine and update estimates of then-existing channel capacities along the San Joaquin River.

Paramount owns New Columbia Ranch, located on the east side of Reach 2B of the San Joaquin River, upstream of the Mendota Pool and also holds rights to the water of the San Joaquin River and its sloughs and exercises those rights to divert flows. Paramount will be directly affected by the SJRRP in a number of ways and appreciates the opportunity to submit the following comments.

The Program Environmental Impact Statement/Environmental Impact Report (PEIS/R) for the SJRRP included in-channel flow limits based on estimated in-channel capacities along the San Joaquin River. The PEIS/R in-channel flow limit for Reach 2B was 810cfs. Based on various technical studies and analysis, the Draft Report for the 2014 Restoration Year (2014 Report) increased the recommended then-existing channel capacity in Reach 2B to 1,120cfs. Five studies were conducted, however two studies, the In-channel Capacity Study completed in 2013 and the Middle Eastside Geotechnical Assessment, generated the basis for the 2014 recommendation. The Draft Report utilizes these same two studies and maintains the capacity recommendation of 1,120cfs. *See* Draft Report, Section 8.0. There have been no additional studies completed to refine the 2014 Report recommendations, however significant subsidence issues have become apparent in various reaches of the SJRRP areas since 2013, which could significantly reduce existing channel capacities. Paramount asks Reclamation to conduct updated technical studies and issue updated channel capacities to properly reflect these significant changed circumstances and ensure landowners within the SJRRP area are not impacted.

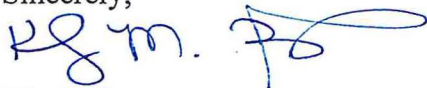
As expressed in our comment letter regarding the 2014 Report, Paramount is specifically concerned about the impacts of the increased then-existing channel capacity in Reach 2B on its adjacent property. In particular, the presence of a flow at 1,120cfs in Reach 2B for an extended period of time and under varying hydrologic conditions may cause adverse impacts to Paramount's property through ponding and groundwater seepage. In order to avoid these impacts, Reclamation must comply with its Physical Monitoring and Management Plan, Seepage Management Plan and the thresholds established by such plans. Reclamation should address comments prior to finalizing any updates to these critical plans or thresholds.

Paramount has concerns over certain current SJRRP monitoring well seepage thresholds near its planted acreage on New Columbia Ranch. The seepage thresholds for several SJRRP monitoring wells located in close proximity to Paramount almond orchards are set at 6 feet. Paramount has engaged SJRRP consultants and staff to request a review of these thresholds as they do not meet the SJRRP established Ag threshold standard for almonds of 10 feet despite the close proximity to almond acreage. Although no seepage thresholds have been reached on the monitoring wells near the New Columbia Ranch, operating at the increased 1,120 cfs capacity could cause triggers of seepage thresholds and seepage thresholds should be corrected to ensure protection of the nearby crops, in Paramount's case, its almond orchards.

We understand the intent of the SJRRP is to not cause adverse impacts to landowners and the 2015 Draft Report acknowledges that the SJRRP will limit flows "to levels that do not result in material adverse impacts due to groundwater seepage, which may be more limiting than levee seepages and stability."

Paramount agrees Reclamation must continue to operate to avoid impacts to property adjacent to the River and to restrict SJRRP releases when Reclamation anticipates that the groundwater level thresholds identified in the Seepage Management Plan will be reached. It also, however, requests a review and revision of certain seepage thresholds near New Columbia Ranch and recommends conducting updated technical studies which incorporate changed circumstances, such as subsidence, to determine existing channel capacity to ensure proper triggers are in place to recognize the potential to impact landowners. Thank you for considering and responding to the above comments. Should you have questions, please contact me at anytime.

Sincerely,



Kimberly M. Brown  
Senior Director, Water Resources

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Cc: Katrina Harrison, [kharrison@usbr.gov](mailto:kharrison@usbr.gov)



# Responses to Comments on the Draft Channel Capacity Report for 2015

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Comment Paramount Farming – 1:

Text of Comment: “The Program Environmental Impact Statement / Environmental Impact Report (PEIS/R) for the SJRRP included in-channel flow limits based on estimated in-channel capacities along the San Joaquin River. The PEIS/R in-channel flow limit for Reach 2B was 810 cfs. Based on various technical studies and analysis, the Draft Report for the 2014 Restoration Year (2014 Report) increased the recommended then-existing channel capacity in Reach 2B to 1,120 cfs. Five studies were conducted, however two studies, the In-channel Capacity Study completed in 2013 and the Middle Eastside Geotechnical Assessment, generated the basis for the 2014 recommendation. The Draft Report utilizes these same two studies and maintains the capacity recommendation of 1,120 cfs. *See* Draft Report, Section 8.0. There have been no additional studies completed to refine the 2014 Report recommendations, however significant subsidence issues have become apparent in various reaches of the SJRRP areas since 2013, which could significantly reduce existing channel capacities. Paramount asks Reclamation to conduct updated technical studies and issue updated channel capacities to properly reflect these significant changed circumstances and ensure landowners within the SJRRP area are not impacted.”

Response:

The Draft Channel Capacity Report acknowledges that subsidence is a problem along the San Joaquin River and discusses monitoring efforts (Sections 10.1.4 and 10.2.3). Starting January 15, 2015, the San Joaquin River Restoration Program (SJRRP) will be conducting extensive Light Detection and Ranging (LiDAR) surveys by air of the entire SJRRP area. We will be developing updated digital terrain models and hydraulic models with this data over the next year. This should provide a comprehensive look at the current capacity of the San Joaquin River and bypasses with subsidence. The Channel Capacity Report will be updated with the results of these and other subsidence surveys and analysis when the information is available. The subsidence is centered further downstream and is minimal in Reach 2B where your property is located.

Comment Paramount Farming – 2:

Text of Comment: “...Reclamation must comply with its Physical Monitoring and Management Plan, Seepage Management Plan and the thresholds established by such plans. Reclamation should address comments prior to finalizing any updates to these critical plans or thresholds.”

## Responses to Comments

### Response:

As you noted, Reclamation fully intends to comply with the Seepage Management Plan. Reclamation also intends to address comments prior to finalizing updates to the Seepage Management Plan.

### Comment Paramount Farming– 3:

Text of Comment: “The seepage thresholds for several SJRRP monitoring wells located in close proximity to Paramount almond orchards are set at 6 feet. Paramount has engaged SJRRP consultants and staff to request a review of these thresholds as they do not meet the SJRRP established Ag threshold standard for almonds of 10 feet despite the close proximity to almond acreage.”

### Response:

Seepage thresholds are not part of the Channel Capacity Report. Reclamation will address your comments as part of the Seepage Management Plan revision process.