

**San Pasqual Valley Groundwater Sustainability Plan  
Project Management Action No. 7: Initial Surface Water Recharge Evaluation: Preliminary Feasibility Study  
Comment Tracking Table**



Comment #	Commenter Name	Commenter Organization	Comment Received	Subject	Location in Document	Comment	Response
1	Al Lau	Santa Fe Irrigation District	1/15/2024		-	Any proposed groundwater replenishment or other project upstream of Lake Hodges that may interfere with the volume of local surface water reaching Lake Hodges, or that may adversely affect surface water quality in the lake, cannot move forward without the express written consent of SFID. In particular, to protect SFID's rights, further technical studies regarding potential changes in surface water flow volumes, water quality and other issues would be needed before any particular groundwater project described in the study could be advanced	Further studies are required for feasibility and other technical considerations prior to implementation of any alternative described in the Preliminary Feasibility Study. Potential effects on flows to Lake Hodges would be considered in such studies.
2	Al Lau	Santa Fe Irrigation District	1/15/2024		-	SFID is willing to consider arrangements whereby a portion of any local surface water recharged via any upstream groundwater replenishment project that would have otherwise reached Lake Hodges is credited to a groundwater storage account in the basin in the name of the District. However, to date, neither the City nor the County of San Diego have discussed such an arrangement, or any other type of local water mitigation or offset, with SFID	Comment noted.
3	Al Lau	Santa Fe Irrigation District	1/15/2024		-	Consistent with the requirements of Paragraph 24 of the 2014 Agreement, SFID asks that the City continue to keep SFID fully informed about the study or progress of any of the projects described in the Feasibility Report or any other project that could affect water flows reaching or water quality in Lake Hodges.	Comment noted.
4	Heather A. Pert	California Department of Fish and Wildlife	1/19/2024	Compliance with CEQA and Fish and Game Code	Strategy 1B: Enhance Streamflow Infiltration with In-stream Modifications; pg. 3-3	The construction, operation, and maintenance of an in-stream rubber dam is likely subject to Fish and Game Code section 1602, but Fish and Game Code compliance is not addressed in the Study. Fish and Game Code section 1602 et seq. requires any person, State or local governmental agency, or public utility to notify the Department prior to beginning any activity that may do one or more of the following: i. Divert or obstruct the natural flow of any river, stream, or lake; ii. Change the bed, channel, or bank of any river, stream, or lake; iii. Use material from any river, stream, or lake; or, iv. Deposit or dispose of material into any river, stream, or lake.	As noted in Appendix G, Table G-5, permitting requirements would be evaluated as part of the follow-on evaluations for Strategy 1B.
5	Heather A. Pert	California Department of Fish and Wildlife	1/19/2024	Compliance with CEQA and Fish and Game Code	Strategy 1B: Enhance Streamflow Infiltration with In-stream Modifications; pg. 3-3	In addition, the Department is concerned that Project activities, as currently proposed, may prevent and/or impede fish passage during low flow conditions and may not allow sufficient water to pass over, around, or through a dam, to keep in good condition any fish that may be planted or exist below the dam (Fish & Game Code §§ 5901, 5937). The Project may adversely affect the existing hydrologic pattern in the proposed Project areas, including flows into Santa Ysabel Creek. This may occur through the alteration of the bank, bed, and/or channel of the stream from Project grading, the addition of in-stream abutments, and/or other activities. These Project activities could result in permanent alteration of creek function and substantial adverse impacts to sensitive environmental resources (see Comment #2). This direct impact to stream hydrology and wildlife resources may require compensatory mitigation.	Potential environmental impacts, including to hydrology and fish, and appropriate mitigation where necessary, would be evaluated and addressed in applicable environmental evaluations under CEQA. CEQA compliance has been identified in Appendix G as one of the future activities necessary prior to implementation of any of the potential strategies.
6	Heather A. Pert	California Department of Fish and Wildlife	1/19/2024	Compliance with CEQA and Fish and Game Code	Strategy 1B: Enhance Streamflow Infiltration with In-stream Modifications;	According to the GSA, Strategy 1B has the lowest recharge benefits with the highest cost estimation. Strategy 1B also has the highest impact to biological resources. Based on the Study, CDFW is concerned that permitting and mitigation costs associated with Strategy 1B may not have been adequately addressed for the construction, operation, and maintenance of the inflatable dam.	Should this strategy be further developed, more detailed costs would be evaluated in the future Feasibility Study identified in Appendix G, Table G-5.
7	Heather A. Pert	California Department of Fish and Wildlife	1/19/2024	Compliance with CEQA and Fish and Game Code	Strategy 1B: Enhance Streamflow Infiltration with In-stream Modifications; pg. 3-3	<i>Recommendation</i> : The construction, operation, and maintenance of an in-stream rubber dam may have a direct or indirect physical impact on the environment and is subject to CEQA. The Department will likely need to issue a Lake or Streambed Alteration Agreement (LSAA) pursuant to Fish and Game Code section 1602 for Project activities. Issuance of an LSAA by the Department is an activity subject to CEQA. Prior to issuing an LSAA, CEQA review and an instream flow study will need to be conducted to address potential impacts (i.e., 'significant effects') to streambed, GDE's, ISW's, as well as fish and wildlife resources. For example, in-stream modifications for the installation of a permanent rubber dam, as proposed in the Study, is subject to Fish and Game Code section 1602. Once constructed, ongoing dam operations, water diversions, and maintenance of the in-stream rubber dam are also subject to Fish and Game Code section 1602. The Department recommends the GSA account for this information throughout the CEQA review process and to ensure project budgets and timelines consider regulatory processes prior to the implementation of potential projects.	Comment noted.

8	Heather A. Pert	California Department of Fish and Wildlife	1/19/2024	Impacts to biological resources	Strategy 1B: Enhance Streamflow Infiltration with In-stream Modifications; pg. 3-3	The Department is concerned with the reduced water availability in Santa Ysabel Creek to support fish and wildlife habitat resources, including sensitive riparian and aquatic species, that may result from diverting stormwater for groundwater recharge. Santa Ysabel Creek is considered designated critical habitat for the federal Endangered Species Act (ESA) listed arroyo toad ( <i>Anaxyrus californicus</i> ). Santa Ysabel Creek also has known occurrences of the California Environmental Species Act (CESA) listed tricolored blackbird ( <i>Agelaius tricolor</i> ) and the CESA- and ESA-listed least Bell's vireo ( <i>Vireo bellii pusillus</i> ). The proposed rubber dam in Santa Ysabel Creek at Ysabel Road will likely create a stormwater pool behind the dam to recharge the underlying aquifer, which would prevent stormwater from naturally flowing downstream to reach sensitive environmental areas. The proposed dam would also alter the hydrology and have direct and indirect physical changes at the project location and adjacent areas.	Comment noted.
9	Heather A. Pert	California Department of Fish and Wildlife	1/19/2024	Impacts to biological resources	Strategy 1B: Enhance Streamflow Infiltration with In-stream Modifications; pg. 3-3	CDFW recommends the proposed Project include an environmental analysis of potential impacts on biological resources within Santa Ysabel Creek. At a minimum, an analysis should include: i. A map of plant communities and important bird foraging habitat occurring in the Project area, namely within and around Santa Ysabel Creek. Plant communities should be mapped at the alliance/association level using the <a href="#">Manual of California Vegetation</a> , second edition (Sawyer et al. 2009); ii. A comprehensive list of sensitive and special status plant and wildlife species, and sensitive plant communities, occurring in the Project site. For each biological resource, the following information should be provided: 1. A summary of species-specific habitat requirements; 2. A discussion as to how the species or plant communities may be significantly impacted directly or indirectly through habitat modification, as result of changes to hydrology (reduced flow), hydraulics (water depth, wetted perimeter, velocity), and sunlight exposure (photosynthetic ability of plants); and, 3. A quantitative analysis and/or adequate discussion to evaluate whether the Project would result in significant impacts. iii. A discussion of whether construction, operations, and maintenance of the proposed Project would have direct and/or indirect, permanent, or temporal impact on biological resources; iv. A discussion of Project-related impacts on biological resources in relation to cumulative changes to the hydrologic regime; and, v. Avoidance and/or mitigation measures that would be implemented for potential impacts on biological resources if they are present.	The recommended analysis would be incorporated into the environmental analysis that would be conducted for CEQA compliance for any of the proposed strategies that move into further development. CEQA has been identified as a future planning step for each strategy as listed in Appendix G, Tables G-1, G-2, G-3, and G-5.
10	Dan Silver	Endangered Habitats League	12/12/2023			Endangered Habitats League supports groundwater recharge to restore historic conditions, as beneficial to surface water and riparian systems. In regard to the four options, EHL urges an alternative that has less adverse impacts on species and habitats in these aquatic, riparian, and floodplain zones. A rubber dam will reduce downstream flows and flood the upstream. Water releases from Ramona effluent or from stored water behind the dam would, if released in the dry season, have negative impacts on an ecosystem adapted to a more intermittent flow. More permanent water favors invasive species like bullfrogs, for example. We urge that a biological analysis occur so that stakeholders and the City can evaluate the options with biological resources in mind.	Potential impacts to biological resources would be incorporated into the environmental analysis required for CEQA compliance for any strategy that moves into further development.
11	Andre Monette	Best Best & Krieger, LLP	1/17/2024			Rancho Guejito has submitted multiple comment letters on the Study documenting concerns with its methodology and the sufficiency of its analysis. Rancho Guejito stands by these comments, and continues to have concerns with the Study. However, Rancho Guejito agrees with and fully supports Study's conclusion that best way to recharge the Basin is by releasing water from Sutherland Reservoir.	Comment noted.
12	Andre Monette	Best Best & Krieger, LLP	1/17/2024			At this point, there is no reason why the City should not adopt the Study's findings as the primary means of maintaining water levels during periods of drought. This is the outcome that is mandated by the Court's order in <i>Trussell v. City of San Diego</i> , 172 Cal.App.2d 593 (1959). The facts now demonstrate that not only is this method of recharge possible, it is the most efficient and cost effective approach. Moreover, there is no need or rational basis for the City to conduct additional study as to the feasibility of this approach. Further study would be a waste of public funds and cause additional, undue delay in implementing the <i>Trussell</i> decision.	Comment noted.
13	Andre Monette	Best Best & Krieger, LLP	1/17/2024			Rancho Guejito will continue to be engaged with the City, and the County of San Diego on this matter and expects that the City will amend the Groundwater Sustainability Plan for the Basin to reflect the Study's conclusions.	Comment noted.