

DRAFT

October , 2026

Mr. Patrick Pulupa
Executive Officer
Central Valley Regional Water Quality Control Board
Email: irrlands@waterboards.ca.gov

Submitted via E-mail Only

Re: Requests re: Order R5-2019-0077 and Order R5-2015-0095-07

Dear Mr. Pulupa,

The San Luis & Delta-Mendota Water Authority (“Water Authority”), including its Grassland Basin Drainage Steering Committee (“Steering Committee”), and the Grassland Basin Authority (“GBA”) submit this joint letter concerning the following two California Regional Water Quality Control Board Central Valley Region (“Regional Board”) orders:

- (1) Order R5-2019-0077 Waste Discharge Requirements for San Luis & Delta-Mendota Water Authority and U.S. Bureau of Reclamation Surface Water Discharges from the Grassland Bypass Project (December 2019) (“GBP Surface Water Order”)
- (2) Order R5-2015-0095-07 Waste Discharge Requirements General Order for Growers in the Grassland Drainage Area (May 2022) (“GDA Groundwater Order”)

With respect to the above two listed orders, this letter constitutes:

- (1) GBA’s written application to the Executive Officer, under Section IV.7 of the GBP Surface Water Order, for transfer of the Order so that GBA may assume operation as a Discharger in the Water Authority’s place; and
- (2) the Steering Committee’s request, under Section VI of the GDA Groundwater Order, that the Executive Officer modify the Order to recognize GBA as the Third-Party representing Members under the Order in place of the Steering Committee.

Background

1. The Water Authority and the GBA

The Water Authority is a joint powers authority serving 27 member agencies. The Water Authority’s Grassland Basin Drainage Management Activity Agreement (“GBDM Activity Agreement”) is an agreement under the umbrella of the Water Authority that was developed primarily so that certain Water Authority member agencies could coordinate on issues related to the control, management, distribution and discharge of agricultural drainage water within the Grassland Drainage Area and to contract with the U.S. Bureau of Reclamation (“Reclamation”) for the use of the San Luis Drain to convey the drainage water.

The GBDM Activity Agreement is directed by the Water Authority's Grassland Basin Drainage Steering Committee ("Steering Committee"). As such, the Water Authority and Reclamation have entered into a series of use agreements (in 1995, 2001, 2010, 2019, and 2020) pursuant to which the Water Authority is authorized to use the portion of the San Luis Drain needed to carry out the Grassland Bypass Project.

GBA is a joint powers authority formed in 2019 to manage drainage and other related activities in the Grassland Drainage Area, including the operation and maintenance of the San Joaquin River Water Quality Improvement Project ("SJRIIP"). The SJRIIP is an approximately 6,000-acre drainage and water reuse and management area within the Grassland Drainage Area that is operated as a drainage management facility to assist in meeting regulatory and contractual obligations to reduce discharges of selenium and salinity loads.

GBA is a separate entity from the Water Authority; however, GBA was created, in part, with the intent to eventually take over the activities of the Water Authority's GBDM Activity Agreement and Steering Committee, and all members of the GBDM Activity Agreement/Steering Committee are also members of GBA.

2. Water Authority and GBA Transition

The requests contained herein are part of a broader effort that is underway to transition all GBDM Activity Agreement/Steering Committee activities to the GBA and, once transition is complete, to terminate the Water Authority's GBDM Activity Agreement and dissolve the Steering Committee.

In July 2026, the Steering Committee considered and recommended to the Water Authority Board of Directors adoption of a proposed resolution authorizing the Water Authority to take the actions necessary to transition (1) its status as a "Discharger" under Order R5-2019-0077 to the GBA, (2) its status as a "Third-Party representative" under Order R5-2015-0095-07 to the GBA, and (3) its rights and responsibilities under its Use Agreement with Reclamation to the GBA (Attachment [REDACTED]). In August 2026, the Water Authority Board of Directors adopted that resolution (Attachment [REDACTED]). Subsequently in August 2026, the GBA Board of Directors adopted an analogous resolution. (Attachment [REDACTED]).

The Use Agreement with Reclamation authorizes the Water Authority to use the portion of the San Luis Drain needed to carry out the Grassland Bypass Project. (Attachment [REDACTED]). The Agreement states that it may be amended to provide for assignment of the obligations and benefits accruing to the Water Authority to a separate joint powers authority representing the same members that are represented by the Steering Committee, but only in the event the Regional Board also approves transferring the Water Authority's obligations under WDRs to that same joint powers authority. (Use Agreement, Article VII.B, p. 11.) Thus, after the Executive Officer and/or the Regional Board has provided the approvals sought herein, the Water Authority and GBA will work with Reclamation to assign the Water Authority's rights and duties under the Use Agreement to GBA.

GBP Surface Water Order: GBA Application for Transfer of Discharger Status

Under the GBP Surface Water Order, the Regional Board directly regulates the Water Authority and Reclamation as "Dischargers" for surface water discharges from the

Grassland Bypass Project. The Order may be transferred to new Dischargers upon submittal of a written application to the Regional Board's Executive Officer requesting transfer of the Order. (Order R5-2019-0077, Section IV, p. 17.)

Section IV.7 of the GBP Surface Water Order provides in relevant part:

To assume operation as Dischargers under this Order, the succeeding owners or operators must apply in writing to the Executive Officer requesting transfer of the Order. The request must contain the requesting entity's full legal name, the state of incorporation if a corporation, the name and address and telephone number of the persons responsible for contact with the Central Valley Water Board, and a statement. The statement shall comply with the signatory paragraph in section VI.3 of this Order and state that the new owner or operator assumes full responsibility for compliance with this Order. Failure to submit the request shall be considered a discharge without requirements, a violation of the Water Code. The Executive Officer will submit transfer requests to the Central Valley Water Board so that the Board may consider transferring the ownership of this Order at one of its regularly scheduled meetings.

GBA hereby applies in writing for transfer of the Order and provides the information Section IV.7 requires:

- a. Full legal name: Grassland Basin Authority
- b. Form of organization: GBA is a California joint powers authority formed pursuant to Government Code section 6500 et seq. under that certain Joint Exercise of Powers Agreement dated June 13, 2019, a copy of which is enclosed as Attachment [REDACTED]. The GBA is governed by a board of directors and holds regular public meetings.
- c. Persons responsible for contact with the Regional Board:

Name: Chris Linneman	Name: Palmer McCoy
Title: Drainage Coordinator	Title: General Manager
Address: PO Box 1122	Address: PO Box 426
Hanford CA, 93232-1122	Firebaugh CA 93622
Telephone: 559-582-9237	Telephone: 209-710-5818
Email: linneman@summerseng.com	Email: Palmer@gbauthority.com
- d. Statement of assumption of responsibility: GBA assumes the responsibilities previously held by the Water Authority for compliance with Waste Discharge Requirements Order R5-2019-0077, including without limitation all monitoring, reporting, discharge limitation, load limit, operational, plan preparation, and fee obligations imposed on the Discharger. This statement is certified in accordance with Section VI.3 of the Order by the signature of the GBA appearing below.

Reclamation's status as a Discharger under the Order is unaffected by this request, and the Water Authority and GBA have coordinated with Reclamation regarding this request.

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GDA Groundwater Order: Steering Committee Request to Modify Third-Party Representative

The GDA Groundwater Order does not directly apply to the Water Authority; it applies to the “owners and operators of irrigated lands in the Grassland Drainage Area.” (Order R5-2015-0095-07, Findings Paragraph 5, p. 2; Section I, p. 22.) However, the Order identifies the Water Authority’s Steering Committee as the Third-Party representative for these owner/operators. (*Id.* at Findings Paragraph 5, p. 2.)

The Steering Committee, on behalf of itself and its members (see Attachment [SLDMWA resolution](#)), and GBA (see Attachment [GBA Resolution 20-2026](#)) hereby request that the Regional Board’s Executive Officer modify the Order to substitute GBA for the Steering Committee wherever the Order identifies or refers to the “Steering Committee”. (See Order R5-2015-0095-07, Section VI, p. 29.)

Pursuant to the GDA Groundwater Order, owners/operators enrolled their parcel(s) under the Order and are “ultimately responsible for complying with the terms and conditions of this Order.” (Order R5-2015-0095-07, Findings Paragraph 14, p. 5.) The Third-Party that currently represents these owners/operators is the Steering Committee. If our request is granted, the enrolled parcels will remain enrolled under the Order, and the representation responsibilities will shift from the Water Authority to GBA. No re-enrollment under the Order is necessary.

The Order requires the Third-Party to perform a defined set of functions on behalf of the owners/operators that have enrolled parcels, and GBA is prepared to perform each of those tasks, including but not limited to those described in Section IV.D, Section VIII, Section IX, Section X, and XI of the Order as well as the attached Monitoring and Reporting Program (Order R5-2015-0095-06). In addition, the GBA is governed by a board of directors and holds regular public meetings. All members of the Water Authority’s GBDM Activity Agreement/Steering Committee are also already members of GBA. Thus, GBA’s governance structure will provide its members with a mechanism to direct the governance of the GBA as the Third-Party representative under the Order.

If you have any questions about this letter’s application for (1) transfer of the GBP Surface Water Order from the Water Authority to GBA, or (2) modification of the GDA Groundwater Order to recognize GBA as the Third-Party representative under the Order in place of the Steering Committee, please contact Chris Linneman, Regional Drainage Coordinator, at [CONTACT INFO].

Regards,

CERTIFICATION

Each of the undersigned, in the capacity shown and on behalf of the entity shown, signs this letter and hereby certifies as follows:

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for knowingly submitting false information, including the possibility of fine and imprisonment for violations.

This certification is made pursuant to Section VI.3 of Order R5-2019-0077 and satisfies the certification requirement of Section IV.7 of that Order.

Federico Barajas	Date	Palmer McCoy	Date
Executive Director		General Manager	
San Luis & Delta-Mendota Water Authority		Grassland Basin Authority	

David Cory	Date
Committee Chair	
Grassland Basin Drainage Steering Committee	

Enclosures:

Attachment 1	Steering Committee Minutes of July 17, 2026 Meeting
Attachment 2	Water Authority Resolution No. 2026-568 Authorizing Certain Actions in Furtherance of Transitioning Grassland Basin Drainage Steering Committee Activities to the Grassland Basin Authority
Attachment 3	GBA Resolution 20-2026 Authorizing Certain Actions in Furtherance of Transitioning Grassland Basin Drainage Steering Committee Activities to the Grassland Basin Authority
Attachment 4	Use Agreement Between the United States and the San Luis & Delta-Mendota Water Authority for Use of the San Luis Drain for the Grassland Bypass Project Long-Term Storm Water Management Plan (May 2020)
Attachment 5	GBA Joint Exercise of Powers Agreement