



State Water Resources Control Board



Linda S. Adams
*Secretary for
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Executive Office

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Arnold Schwarzenegger
Governor

July 3, 2006

Alan R. Candlish
Regional Planning Officer
Mid-Pacific Regional Office
U. S. Bureau of Reclamation
2800 Cottage Way
Sacramento, CA 95825

Dear Mr. Candlish:

DELTA MENDOTA CANAL RECIRCULATION REVISED PLAN OF STUDY

This letter responds to your letter dated June 13, 2006, submitting the revised Delta Mendota Canal (DMC) Recirculation Plan of Study (POS) in compliance with my letter dated May 11, 2006. The POS should be revised to make the following corrections and clarifications.

In section 1.1 regarding the Project Purpose, the POS states that the purpose of the DMC Recirculation project is to “provide greater flexibility in meeting the existing water quality standards and flow objectives for which the Central Valley Project (CVP) has responsibility so as to reduce the demand on water from New Melones Reservoir used for water quality and flow purposes...” In addition, another purpose of the project should be to meet objectives (the San Joaquin River spring flow objectives) that have not been met on a consistent basis in the past and for which a consistent method for meeting the objectives has not been identified.

In section 1.4, the POS states that “As part of the amendment of permits under D-1641 to allow [Joint Points of Diversion (JPOD)], the [State Water Board] required Reclamation to prepare a Plan of Action (POA) to evaluate the potential impacts of recirculating water from the DMC through the Newman Wasteway...” To clarify, the requirement for the Recirculation POA is not a requirement for JPOD, it is a separate requirement from those associated with JPOD.

The Problems and Needs section of the POS includes a table (Table 1) summarizing the San Joaquin River flow objectives included in the 1995 Water Quality Control Plan for the San Francisco Bay/Sacramento-San Joaquin Delta Estuary (1995 Plan). The POS should also include a table of the April 15 through May 15 pulse flow targets for the Vernalis Adaptive Management Plan (VAMP) included in State Water Resources Control Board (State Water Board) Decision 1641 (D-1641). The POS should clearly indicate that the Feasibility Study (FS) will evaluate the ability of recirculation to meet both the 1995 Plan objectives and the pulse flow requirements included in D-1641.

California Environmental Protection Agency

In several places, the POS refers to both the 1995 Plan and D-1641 as establishing water quality objectives and requiring implementation of those objectives by the U.S. Bureau of Reclamation (USBR). To clarify, the State Water Board established the water quality objectives in the 1995 Plan and placed responsibility on USBR to meet various specified objectives through modification of USBR's water rights in D-1641.

In the Problems and Needs section for alternative methods for meeting water quality requirements at Vernalis and in southern Delta channels, the POS should include a discussion of the salinity objectives at Brandt Bridge (included in the 1995 Plan and implemented in D-1641) and the San Joaquin River dissolved oxygen objective (included in the 1995 Plan). The POS should clearly indicate that the FS will evaluate the ability of recirculation to assist in meeting these objectives.

On page 1-8, the POS states that the salinity and boron total maximum daily load (TMDL) for the San Joaquin River at Vernalis was approved by the Central Valley Regional Water Quality Control Board (Regional Water Board) in November of 2005. However, the Regional Water Board actually approved the TMDL in September of 2004 and the State Water Board approved the TMDL in November of 2005.

In Table 5, the POS states that the State Water Board has jurisdiction over water rights. The State Water Board also has water quality authority, including authority over water quality control planning for the San Francisco Bay/Sacramento-San Joaquin Delta Estuary and oversight authority over the Regional Water Quality Control Boards.

Under section 1.10.5 for Major Alternatives to be Studied, the POS should include the use of recirculation to meet the September through November dissolved oxygen objective included in the 1995 Plan.

On page 1-16 under the bullet for the 31-day pulse flow period, the POS states that "The total recirculation flow rate would have to be equal to the foregone upstream releases with no flow-related benefits accruing." However, in many years, there would be flow-related benefits from upstream releases being released at other times of the year. The FS should evaluate those potential benefits.

On page 1-16 under the bullet for recirculation during February through June, the POS states that recirculation would occur as needed to meet salinity and flow requirements during spring periods when flows on the San Joaquin River are low. The FS should also evaluate the potential for utilizing recirculation to replace some of the releases made from New Melones in order to conserve storage for future water quality or water supply needs.

On page 1-16 under the bullet for recirculation during July through August the POS should include meeting salinity requirements at Brandt Bridge.

On pages 1-16 and 1-17 under the bullet for recirculation for which additional pumping is not simultaneous with discharge to the San Joaquin River, the POS states that "Water supply impacts to CVP Delta export contractors are expected to accrue at a 1:1 ratio." However, this would not necessarily be the case if recirculation was conducted to take advantage of pumping opportunities and JPOD diversions. The FS should evaluate this issue.

Under section 5.3 for the development of initial alternatives, the POS states that the initial list of alternatives **might** include various recirculation alternatives. Pursuant to D-1641, the FS is **required** to evaluate certain of the recirculation alternatives (recirculation to meet or assist in meeting the pulse flow objectives, the February through June flow objectives, the San Joaquin River salinity objectives, and the dissolved oxygen objective).

The analyses discussed on page 5-5 under the bullet for analysis of aquatic impacts should be coordinated with the National Marine Fisheries Service, the U.S. Fish and Wildlife Service, and the Department of Fish and Game.

The reference on page 5-11 to potential actions pursuant to Water Code section 1707 would actually occur under a water right petition rather than a water right application as stated.

Within 30 days from the date of this letter, please submit a revised POS addressing the issues discussed above. If you have any questions concerning this matter, please contact Gita Kapahi at (916) 341-5289.

Sincerely,

ORIGINAL SIGNED BY VAW for

Celeste Cantú
Executive Director

cc: Rudy Schnagl
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