



**Terry Tamminen**  
*Secretary for  
Environmental  
Protection*

April 6, 2004

# State Water Resources Control Board

## Division of Water Rights

1001 I Street, 14<sup>th</sup> Floor • Sacramento, California 95814 • (916) 341-5300  
Mailing Address: P.O. Box 2000 • Sacramento, California • 95812-2000  
FAX (916) 341-5400 • Web Site Address: <http://www.waterrights.ca.gov>



**Arnold Schwarzenegger**  
*Governor*

Alan R. Candlish  
Regional Planning Officer  
U.S. Bureau of Reclamation  
2800 Cottage Way  
Sacramento, CA 95825-1898

Dear Mr. Candlish:

### RECIRCULATION FEASIBILITY STUDY PLAN OF ACTION

This letter is in response to your letter dated March 23, 2004 to Victoria Whitney, Chief of the Division of Water Rights (Division). Your letter responds to Ms. Whitney's letter of January 21, 2004 requesting an update on the Recirculation Feasibility Study Plan of Action (POA) required by State Water Resources Control Board (SWRCB) Decision 1641 (D-1641) (Condition 2, page 153-154). Ms. Whitney asked that I respond to you regarding this matter.

Due to funding and staffing constraints, you state that USBR has only been able to complete a draft report on the results of the initial phase of the recirculation feasibility study, which you state is not ready for submission to the SWRCB. You state that because USBR has no legal authority for a Delta Mendota Canal recirculation feasibility study, the remaining POA tasks have also not been completed and are currently on hold.

You state that there are various San Joaquin River activities currently under way which may potentially affect the recirculation analyses. Included among these activities are: projects associated with the South Delta Improvement Program, including efforts to analyze the potential water quality benefits of a recirculation project that is substantially different than the project described in the POA; water quality actions by the Central Valley Regional Water Quality Control Board (CVRWQCB) on the San Joaquin River; potential changes to the Vernalis fish and wildlife flow objective through periodic review of the 1995 Bay-Delta Water Quality Control Plan; and updates to CALSIM2 focusing on improving modeling of San Joaquin River hydrology and water supply facility operations. USBR proposes to prepare a revised POA for the SWRCB's approval once new or revised water quality standards for the San Joaquin River are determined. You state that it may be helpful for representatives of the SWRCB and USBR to meet and discuss the issues discussed above.

The Division has several concerns we would like to discuss further with USBR staff. First, while the Division understands USBR's funding and staffing constraints, the Division is concerned about the lack of correspondence updating the SWRCB of its progress on the recirculation study and its ability to meet its permit conditions. Further, given that other agencies are currently involved in recirculation analyses, it would seem appropriate for USBR to evaluate whether USBR should also be involved in these analyses and whether the analyses currently being conducted might meet the requirements of USBR's permit condition. While USBR is responsible for submitting information to the SWRCB and ensuring that any studies meet the requirements of the recirculation requirement, this work may be completed through a

collaborative process. However, without additional information concerning the studies currently being conducted by the other parties, the Division cannot determine whether this approach is appropriate at this time.

The Division also has concerns with recent discussions USBR staff had with CVRWQCB staff during a March 8, 2004 meeting concerning the salt and boron Total Maximum Daily Load (TMDL) being prepared for the Lower San Joaquin River. During that meeting, staff from USBR proposed that the TMDL process be deferred pending negotiation of other methods to address the salinity and boron issues in the Lower San Joaquin River. Recirculation was the only potential method mentioned by USBR staff for addressing the salinity/boron problem. Given the lack of progress USBR has made on this matter and the stated intent to further delay completion of recirculation studies, the Division does not believe it is appropriate for USBR staff to propose recirculation as a potential solution to the salt and boron issues in the Lower San Joaquin River while at the same time requesting a delay in completion of the recirculation feasibility study pending new water quality standards.

Further, the Division does not believe that periodic review of the fish and wildlife flow objective on the San Joaquin River at Vernalis is an appropriate reason to delay completion of the recirculation analyses. At this time, we cannot predict whether the SWRCB's periodic review will result in a change to the Vernalis objectives. The purpose of the recirculation analyses is to determine the feasibility of using recirculation as a method for meeting and/or augmenting the Vernalis flow and water quality objectives. The timeline specified in D-1641 for completion of the studies anticipates that the studies would be completed by this time, and consequently would be available for consideration during a future periodic review of the objectives. As this information is not available, the SWRCB will be unable to determine the extent to which the objectives may be met by recirculation.

The Division requests a meeting with USBR to further discuss a plan of action for addressing the recirculation feasibility analysis requirement. Please contact Diane Riddle of my staff at (916) 341-5297 **within 15 days** from the date of this letter to arrange a meeting. If you have any further questions, please contact Ms. Riddle at the phone number listed above.

Sincerely,

ORIGINAL SIGNED BY

Gita Kapahi, Chief  
Special Projects Unit

cc: Carl A. Torgersen, Chief  
SWP Operations Control Office  
Department of Water Resources  
3310 El Camino Avenue, Suite 300  
Sacramento, CA 95821

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cc: (Continuation page.)

Sharon McHale  
U.S. Bureau of Reclamation  
Division of Planning, MP-700  
2800 Cottage Way  
Sacramento, CA 95825

Karna E. Harrigfeld  
Herum, Crabtree, Brown  
2291 West March Lane, Suite B100  
Stockton, CA 95207

John Herrick, General Counsel  
South Delta Water Agency  
4255 Pacific Ave., Suite 2  
Stockton, CA 95207

Central Delta Water Agency  
c/o Dante John Nomellini, Sr.  
Dante John Nomellini, Jr.  
P.O. Box 1461  
Stockton, CA 95201

Tim O'Laughlin  
O'Laughlin and Paris  
2571 California Park Dr. #210  
Chico, CA 95928

Les Grober  
Central Valley RWQCB  
11020 Sun Center Dr., #200  
Rancho Cordova, CA 95670

Eric Oppenheimer  
Central Valley RWQCB  
11020 Sun Center Dr., #200  
Rancho Cordova, CA 95670

bcc: Barbara Leidigh, Gita Kapahi, Vicky Whitney, Jim Kassel

DKR:llv 03/29/04

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