

Supplemental Comments to the SWRCB by the U.S. Bureau of Reclamation
Issues No. 4, No. 9 and No. 10
Proposed Revision to the 1995 Bay-Delta Water Quality Control Plan
June 3, 2005

Issue #4 - Chloride Objectives, Compliance Location at Pumping Plant # 1

The Department of Water Resources (DWR), Reclamation, and Contra Costa Water District (CCWD) have discussed the proposal to address compliance of the chloride objectives at CCWD Pumping Plant Number 1 (PP#1) that protects municipal beneficial uses. These agencies have submitted substantive comments to the Board during the workshops on this topic, which we request the Board to consider. The comments herein identify areas on which we generally agree and can be the basis for noticing a later water rights hearing on modifying the implementation of the objective at PP#1.

In general, DWR, Reclamation, and CCWD agree that:

- The State Water Resources Control Board (SWRCB) should not change the 150 and 250 mg/L Chloride objective at PP#1 in the WQCP.
- An auxiliary monitoring location should be established on Old River near Holland tract and identified in Table 4 of the WQCP. This location would be used to indicate when implementation of the objective would be shared among entities affecting water quality in Rock Slough.
- The SWRCB should modify the Program of Implementation (POI) in the 1995 WQCP to recognize that other entities besides DWR and Reclamation should share in implementation of the PP#1 objectives under certain specified conditions that will be determined during the water rights hearing. The factors that would be the basis for determining when sharing of implementation would occur would include the pumping rate at PP#1 and water quality in Old River. The POI should include other means of implementing the objectives through issuance of waste discharge permits, and other programs, such as the CALFED Bay-Delta program to reduce agricultural drainage into sloughs in the area.
- The SWRCB should hold a water right hearing to consider modifying the current implementation of the PP#1 objective by DWR and Reclamation. The water right hearing would address issues related to determining the conditions under which control of the objective is outside the control of DWR and Reclamation and to determine when sharing of responsibility for implementing the objective would be appropriate. Hearing issues could include how DWR and Reclamation implementation could be partially achieved through use of an auxiliary monitoring location on Old River. Other entities might share in achieving the objective through other measures, such as adoption of waste discharge requirements to reduce discharges that contribute to elevated salinity. Before such waste discharge requirements are imposed, the SWRCB should review the effects of the CALFED Bay-Delta agricultural drainage projects within the Rock Slough and Contra Costal Canal area. The CALFED project to relocate drainage from Veal Tract is scheduled to be implemented in 2005 and the lining of Contra Costa Canal may occur in 2006. These projects will improve local water quality conditions in the area and help implement the objective at PP #1.

Issue #9 – Flow objectives in the San Joaquin River at Airport Way Bridge, Vernalis: 31-day pulse flow April 15 – May 15.

Supplemental comments to SWRCB staff statements during the workshop regarding re-allocation of “Add Water” to support Vernalis/Delta Outflow fishery flow objectives. SWRCB EIR Alternatives 3&4.

Reclamation has reviewed the technical appendix information presented from the November 1999 SWRCB’s EIR analysis to support to D-1641. The presented analysis attempts to separate and quantify the potential water right responsibility to provide water to meet the beneficial uses identified for the “Add Water” analysis to several potential water sources. The breakdown analysis of the “Add Water” then distributes potential water contributions from upper San Joaquin River at Friant, the Fresno River at Hensley, the Chowchilla River at Eastman, the Merced River at McClure, the Tuolumne River at Don Pedro, and the Stanislaus River at New Melones. The annual breakdown contributions at the individual sites of the “Add Water” re-allocation were then put into tabular form and presented back to DWR to modify the original analysis as a new study.

There are several problematic technical aspects of the techniques used to perform such a significant water rights/beneficial use analysis. The technical issues include:

1. D-1641 water rights modifications were not implemented in a manner similar to the aforementioned analysis.
2. If the San Joaquin Basin water rights and reservoir systems were to be coordinated in such a manner, it is not clear from the analysis how the coordination process could be implemented in a reasonable manner for water rights holders to understand and meet their obligations.
3. It is not clear from the analysis, what the effects of coordinating the San Joaquin Basin water rights and reservoir systems in such a manner would imply to changes to the ability of the basic San Joaquin Basin water supply and reservoir operations to meet the other beneficial use requirements in the basin, such as salinity management, instream fishery management and water deliveries because the coordination obligations are not addressed.

The Department of Interior continues to recommend that the SWRCB review the flow objectives at Vernalis utilizing the best available planning information and tools in an open public process to review the fishery beneficial uses and water supply implications.

Issue # 10 – Southern Delta electrical conductivity

Reclamation is submitting to the SWRCB the Draft Environmental Impact Statement on the San Luis Unit Drainage Feature Re-evaluation, dated May 2005. The Draft EIS is also available online at http://www.usbr.gov/mp/nepa/nepa_projdetails.cfm?Project_ID=61.