



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION IX
75 Hawthorne Street
San Francisco, CA 94105

August 1, 2005

David Robinson
U.S. Bureau of Reclamation
Central California Area Office
7794 Folsom Dam Road
Folsom, CA 95630-1799

Subject: EPA Comments on the Final Environmental Impact Statement (FEIS) for the
Renewal of Long-Term Municipal and Industrial Service Contracts for the
American River Division, Central Valley Project (CVP) (CEQ# 20050261)

Dear Mr. Robinson:

The U.S. Environmental Protection Agency (EPA) has reviewed the above-referenced document pursuant to the National Environmental Policy Act (NEPA), Council on Environmental Quality (CEQ) regulations (40 CFR Parts 1500-1508), and Section 309 of the Clean Air Act.

Based on our review of the FEIS, we continue to have concerns regarding the environmental impacts of potential increased water diversions from the American River on water quality, fisheries, aquatic ecosystems, and overall Central Valley Project (CVP) operations and cumulative impacts. The American River Division plays a key role in the operation of the CVP to meet Endangered Species Act (ESA) requirements, water quality regulations, and water supply demands within, and south of, the San Francisco Bay-Delta (pgs. 4-4 and 4-6). As an integral part of the CVP system, water supply available to the American River Division could be affected by other actions within the CVP.

The preferred alternative allows for the continued obligation of contract water quantities above the amounts that are currently delivered. Therefore, the contracts may result in increased diversions of water from the American and Sacramento Rivers. Although the FEIS provides data on the existing and projected contractor=s water needs, it does not provide an analysis of the environmental effects caused by delivery of water above currently delivered amounts. We remain concerned with the potential environmental effects of providing full contract water quantities all of the time. A detailed evaluation of these environmental effects is important because increased diversions from the American and Sacramento Rivers can adversely affect beneficial uses, such as water quality and habitat for threatened and endangered anadromous fisheries.

In addition, this EIS relies heavily on the analyses in the Central Valley Project Improvement Act Programmatic EIS (CVPIA PEIS), Operating Criteria and Plan (OCAP) Biological Assessment, and OCAP Biological Opinion for existing conditions and direct, indirect, and cumulative impact analyses. The CVPIA PEIS projects impacts for actions to year 2025, while the study period of this EIS extends to the year 2044 (pg. 4-2). We remain concerned with the lack of analysis of potential cumulative impacts of contract renewals beyond 2025 to 2044.

The Record of Decision (ROD) should include an evaluation of the environmental effects of delivery of reliable, full contract quantities, and should commit to specific measures to ensure that water delivery - even under full contract quantities - does not significantly impact beneficial uses of the American and Sacramento Rivers. The ROD should also include an evaluation of potential cumulative impacts of the contract renewals between 2025 to 2044. Since the contract renewal decision is based upon substantive information in the CVPIA PEIS, OCAP Biological Assessment, and OCAP Biological Opinion, the ROD should include a summary of the implementation and analyses, decisions, and commitments made in these documents.

We appreciate the opportunity to review this FEIS. Please send one copy of the ROD to the address above (mail code: CED-2). If you have any questions, please contact me or Laura Fujii, the lead reviewer for this project, at 415-972-3852 or fujii.laura@epa.gov.

Sincerely,

/S/

Nova Blazej, Acting Manager
Environmental Review Office

cc: Kirk Rodgers, Mid-Pacific Region, Bureau of Reclamation
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