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

May 8, 2007

Ms. Sammie Cervantes
Mid-Pacific Region
Bureau of Reclamation
2800 Cottage Way
Sacramento, CA 95825

Subject: Scoping Comments for the Delta-Mendota Canal Recirculation Project, California

The U.S. Environmental Protection Agency (EPA) has reviewed the Federal Register Notice published March 30, 2007 requesting comments on the Bureau of Reclamation's (Reclamation) decision to prepare a Draft Environmental Impact Statement (DEIS) for the above action. Our comments are provided pursuant to the National Environmental Policy Act (NEPA), Council on Environmental Quality (CEQ) regulations (40 CFR Parts 1500-1508), and our NEPA review authority under Section 309 of the Clean Air Act. Our detailed comments are enclosed.

The Delta-Mendota Canal (DMC) and San Joaquin River are key features of the complex Central Valley Project water distribution system and unique San Francisco Bay/Sacramento-San Joaquin Delta (Delta). Therefore, it is important that the DEIS clearly describe existing conditions and the water supply management context of the recirculation project and fully evaluate the direct, indirect, and cumulative impacts of the proposed alternatives. Special attention should be given to effects on the Delta, pelagic and anadromous fisheries, and efforts to restore the San Joaquin River. Project alternatives should include a full range of options that individually or in combination can meet the project purposes identified in the Scoping Notice--providing additional flows to help meet fishery and water quality objectives.

We appreciate the opportunity to provide comments on the preparation of the DEIS. We look forward to continued participation in this process as more information becomes available. When the DEIS is released for public review, please send three copies to the address above (mail code: CED-2). If you have any questions, please contact me at 415-972-3852 or fujii.laura@epa.gov.

Sincerely,
/s/

Laura Fujii
Environmental Review Office
Communities and Ecosystems Division

Enclosure: Detailed Comments

cc: Victoria Whitney, State Water Resources Control Board
Rudy Schnagl, Central Valley Regional Water Quality Control Board
Lester Snow, California Department of Water Resources
Steve Thompson, U.S. Fish and Wildlife Service
Joe Grindstaff, California Bay Delta Authority
Bill Loudermilk, Department of Fish and Game

EPA DETAILED SCOPING COMMENTS FOR DELTA-MENDOTA CANAL RECIRCULATION PROJECT, CA, MAY 8, 2007

Description of Existing Conditions

The operation of the Delta-Mendota Canal (DMC) and the Central Valley Project (CVP), of which it is a part, is very complex. It is important that the draft environmental impact statement (DEIS) provide a detailed description of existing operations and the water supply role of these facilities, so that the public and decision makers fully understand the regional water supply context of the DMC and CVP.

> ***Recommendations:***
> We recommend the DEIS include a detailed description of the existing operations and functions of the DMC, CVP, San Joaquin River, San Francisco Bay/Sacramento-San Joaquin Delta (Delta), State Water Project (SWP), and major tributaries of the San Joaquin River (Merced, Tuolumne, Stanislaus Rivers), explaining their roles within the regional water supply system.
>
> Include information on environmental impacts associated with current operations, with particular attention to fisheries issues and ability to meet water quality objectives within the Delta.

The Scoping Notice describes previous recirculation studies and ongoing studies that might affect the DMC Recirculation Project.

> ***Recommendation:***
> We recommend the DEIS include a detailed description of the previous recirculation studies–study design, assumptions, findings, and recommendations--and the ongoing studies which might affect the project.

Environmental Impact Analysis

The DMC, CVP, Delta, and San Joaquin River are vital parts of California's water supply, economy, and history. Along with agricultural and municipal water supplies, water quality, water quantity, flows, fisheries, recreation and habitat are key beneficial uses that could be affected by this project.

> ***Recommendations:***
> We recommend the DEIS fully evaluate the direct, indirect, and cumulative impacts of the proposed recirculation project, especially changes in CVP and SWP operations, effects on sensitive fisheries, and effects on efforts to restore the San Joaquin River. Potential impacts on beneficial uses should be fully evaluated in the DEIS, especially impacts on uses that may be most vulnerable to changes in diversions and San Joaquin River flows (e.g., anadromous fish, water quality). At a minimum, we recommend the analysis include a description and evaluation of effects for the following issues:

CVP & SWP Operations

- Availability of unused pumping and conveyance capacity.
- Seasonality of available pumping and conveyance capacity.
- Priority of use for unused pumping and conveyance capacity.
- Ability to coordinate operations with needs for enhanced river flows during key seasons.
- Ability to pump and convey water during less environmentally sensitive seasons.

San Joaquin River Restoration

- Ability to meet river restoration goals and address problems.
- Restoration of existing and future salmon runs and populations.

Fish

- Timing of pumping changes, increased flows, and exports; and their effects on fish.
- Entrainment of fish in the south and central Delta, especially effects on delta smelt and salmon during the winter and spring.
- Interference with migration of adult salmon and steelhead, especially if water exports are increased in the fall, reservoir releases are modified or agricultural returns flows are substituted for reservoir releases. Successful down-stream migration and return rates could be affected if the fish imprint on agricultural return flow chemicals rather than their natal stream chemicals.
- Mobilization and exposure of selenium, methylmercury and mercury, and other contaminants, and their effects on fish and prey species, especially if agricultural discharges replace fresh water releases from Eastside reservoirs during Vernalis Adaptive Management Program (VAMP) release periods and other critical periods for fish.
- Food chain effects on pelagic fish. Changes in San Joaquin River flows could alter the hydrodynamics of critical Delta locations for fish and pose a risk of reducing zooplankton populations and their availability for fish.
- Contamination effects on lower San Joaquin River striped bass larvae from altered flows or contaminant loadings into striped bass spawning grounds. Recent UC Davis studies indicate that contaminants have a large effect on striped bass health. Thus, small changes in contaminant loadings could have disproportionate impacts.
- Effect of pyrethroids in agricultural discharges on the nasal epithelium of fish. These effects may reduce the ability of fish to imprint on and/or follow their natal stream chemical signature back to spawning grounds.

Water Quality

San Joaquin River Water Quality

Water quality effects on fish are addressed in the preceding section; the following issues relate to other beneficial uses as well, such as agriculture and municipal supplies. When analyzing these topics, include cumulative effects associated with

implementation of other actions affecting quality and quantity of river water, such as the Westside Regional Drainage Plan.

- Changes in salinity loads to the San Joaquin Basin and implications for implementation of the Vernalis salinity/boron Total Maximum Daily Load (TMDL) and Basin Plan Amendment (TMDL approved by US EPA 2/8/2007).
- Loads and concentrations of contaminants that may be entering the San Joaquin River from recirculated water due to routing through waste ways and use of water sources such as agricultural drainage (e.g., pesticides and salts).
- In-stream water quality and river flow regimes such as inflow to the San Francisco Bay and Delta. Evaluate parameters such as water temperature, flow fluctuations, sediment and salinity.
- Changes in loadings and concentrations of constituents of concern for drinking water supplies (see Central Valley Regional Water Board and CALFED Water Quality Program documents).

Other issues

- Water supply diversions and schedules.
- CALFED Ecosystem Restoration Program goals and objectives for the San Joaquin River and Delta.
- Channel formation processes in the San Joaquin River.
- Reasonable and prudent measures proposed by the U.S. Fish and Wildlife Service and National Oceanic & Atmospheric Administration-Fisheries for the CVP, SWP, and CALFED program.
- Flood control effects.

Relationship to the CALFED Program

As stated in the Scoping Notice, the recirculation program was identified in the federal authorization for the CALFED Bay-Delta program. The CALFED program and federal legislation also include "beneficiaries' pay" concepts in recognition of the benefits provided by the Delta, San Joaquin and Sacramento Rivers.

Recommendations:

We recommend the DEIS describe the relationship of the project to the CALFED Program and identify how the project may apply the "beneficiaries' pay" concepts. The DEIS should also state whether, and to what the extent, the analysis tiers off of the CALFED Programmatic EIS.