



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

September 7, 2007

Ms. Dianne Simodynes
HDR – Surface Water Resources, Inc.
1610 Arden Way, Suite 175
Sacramento, CA 95815

Subject: Draft Environmental Impact Statement (DEIS) for the Proposed Lower
Yuba River Accord, Yuba County, California (CEQ# 20070269)

Dear Ms. Simodynes:

The U.S. Environmental Protection Agency (EPA) has reviewed the DEIS referenced above. Our review is 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 comments are provided in accordance with the EPA-specific extension to the comment deadline date from August 24, 2007 to September 7, 2007, granted by Tamara LaFramboise of the US Bureau of Reclamation on August 6, 2007.

Based upon our review and the identification of the Yuba Accord Alternative as the preferred alternative, we have rated this DEIS as Lack of Objections (LO) (see enclosed "Summary of the EPA Rating System"). We commend the signatories and participants of the Yuba Accord for the comprehensive program to provide increased instream flows to benefit fisheries in the Lower Yuba River. The three Yuba Accord components - Fisheries Agreement, Conjunctive Use Agreements, and Water Purchase Agreement - provide an elegant solution in providing increased instream flows, water for these flows, and revenues to implement the Accord and long-term monitoring. EPA also commends the provision for a long-term guaranteed water supply for the Environmental Water Account.

Of note is the thorough environmental documentation of existing conditions, legal and water supply context for the project area, analysis methodology and assumptions, detailed analysis of alternatives compared to different no action baselines, cumulative impact analysis, induced growth analysis, and description of climate change considerations.

We appreciate the opportunity to review this DEIS. When the FEIS is released for public review, please send one copy to the above address (mail code: CED-2). If you have any questions, please call me at 415-972-3846 or Laura Fujii, of my staff, at 415-972-3852 or fujii.laura@epa.gov.

Sincerely,

/s/

Nova Blazej, Manager
Environmental Review Office

Enclosures: Summary of EPA Rating Definitions

cc: Tamara LaFramboise, US Bureau of Reclamation
Curt Aikens, Yuba County Water Agency
Teresa Geimer, California Department of Water Resources
Regional Manager, Region 2, California Department of Fish and Game
Maria Rea, National Marine Fisheries Service
Susan Moore, US Fish and Wildlife Service
Executive Director, South Yuba River Citizens League
Conservation Director, Friends of the River
California Hydro Power Coordinator, Trout Unlimited
Program Director, The Bay Institute