



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

January 18, 2005

Mr. Bob Eckart  
Bureau of Reclamation  
MP-150  
2800 Cottage Way  
Sacramento, CA. 95825

Subject: Final Environmental Impact Statement (FEIS) for the Water  
Transfer Program for the San Joaquin River Exchange Contractors  
Water Authority 2005 - 2014 (CEQ# 040575)

Dear Mr. Eckart:

The 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.

EPA reviewed the Draft EIS (DEIS) and rated it as Environmental Concerns - Insufficient Information (EC-2) (letter dated August 13, 2004). We expressed concerns regarding due to impacts to distribution, timing, and quality of water in the San Joaquin Basin. We recognize and appreciate the additional information that has been included in the Final EIS regarding related projects in the area. However, we have continuing concerns regarding cumulative impacts of past and present water transfer programs and land retirement programs.

We continue to recommend the proposed action be based on validated analyses of the past and present effects and trends of water transfers by the Exchange Contractors. We note that the environmental effects of the proposed action depend, in part, on the relationship between the disposition of transfer water, San Joaquin River flows and water quality, and New Melones Reservoir operations (DEIS, pp 4-22 to 4-26). We also remain concerned that elements of the water transfer such as groundwater pumping and tailwater and spill recovery may have the potential to alter the quality of water available for irrigated lands. The FEIS concludes that

tailwater recapture will reduce salt loading to the River, contributing to an overall water quality improvement. However, we note that the larger problem of managing salt balance in the basin remains, since withholding tailwater from the River does not remove salts from the watershed. This may further complicate the implementation of the Total Maximum Daily Load (TMDL) for salt and boron.

We recognize that improving water quality and flows along the San Joaquin River system is a complex problem. A few available solutions involve shifts in the timing and intensity of water use, improved conjunctive use of surface and ground water, improved coordination and routing of existing supplies, and water conservation. However, actions which the Exchange Contractors have taken (existing conditions baseline) and might expect to take (under future “no project” conditions) to manage their agricultural drainage water were not included. The relationship of water quality improvement measures, drainage management actions (e.g., TMMLs and Conditional Waiver Program), and the transfer program is not clear.

As we stated in our comments on the DEIS, reaches of the San Joaquin River and tributaries are listed as “impaired” pursuant to Section 303(d) of the Clean Water Act for a number of pollutants. Despite this impairment, the FEIS did not fully identify current studies and plans in which Reclamation is involved or is aware of related to San Joaquin River restoration. These plans may affect management options. We note that the FEIS includes information on the Upper San Joaquin Conceptual Restoration Plan (p. 1-10), but does not consider restoration strategies directed through the Department of Water Resources.

Providing wetlands with adequate supplies of high quality waters is a priority of the US Fish and Wildlife Service. We note that transfers to refuges would not necessarily improve the quality of these refuge supplies, which are currently high in Total Dissolved Solids (TDS). Moreover, conclusions regarding potential impacts on flow and associated beneficial uses (FEIS, p. 6-25) may not be supported by the forthcoming consultation with the U.S. Fish and Wildlife Service. These impacts may need to be reevaluated after consultation is completed.

We appreciate the opportunity to review this FEIS. If you have any questions, please contact me or Summer Allen, the lead reviewer for this project. Summer can be reached at 415-972-3852 or [allen.summer@epa.gov](mailto:allen.summer@epa.gov).

Sincerely,

Lisa B. Hanf, Manager  
Federal Activities Office  
Cross Media Division

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cc: John Brooks, US Fish and Wildlife Service

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Dennis Wescott, Central Valley Regional Water Quality Control Board  
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