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To	Rick Woodward	From	Gail Louis
Dept./Agency	CALFED	Phone	415-744-2019
Fax	(916) 422-2529	Fax #	415-744-1078

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MEMORANDUM

17 April 1997

To: Rick Woodward, Water Quality Program Manager
CALFED

From: *Gail Louis*
Gail Louis, EPA

Subject: Comments on Revised Draft Issue Paper "CALFED Role and Policy with Respect to San Joaquin River Water Quality Problems"

The purpose of this memo is to convey EPA's comments on the 3/30/97 Draft of the San Joaquin River Water Quality Issue Paper. I apologize for the slight tardiness in submitting our comments to you.

This revised draft is certainly improved from its previous version. We have a number of concerns with some of the revised text which are detailed below.

- The roles and responsibilities highlighted in this paper is somewhat confusing. For example, the first two bullets on page 2 state that "CALFED will assume a leadership role in facilitating implementation..." Does this mean CALFED agencies, CALFED staff, or some anticipated future CALFED institution?
- The paper identifies the San Joaquin Valley Drainage Implementation Program (SJV DIP) as the primary entity addressing agricultural drainage issues in the short-term and embraces its approach (bullets #4 and 9). The CALFED agencies should be provided information about the efforts of the SJV DIP and, in particular, its 1997 Activity Plan (referenced and endorsed in bullet #9) to determine whether we want to endorse their approach and "facilitate its implementation". Such an action should be taken through the official CALFED channels (the Program Coordination Team, Management Team and Policy Team).
- This paper makes no mention of activities currently underway involving the Grasslands Bypass Project, which is also addressing agricultural drainage issues in the short-term. In 1995, The Bureau of Reclamation and the San Luis Delta Mendota Water Authority negotiated an agreement allowing the interim use of a portion of the San Luis Drain to convey agricultural drainage water to a tributary of the San Joaquin River, bypassing wetlands areas in the Grasslands Water District. Under the terms of this Use Agreement, the drainers have formed a joint drainage authority, agreed to meet increasingly stringent selenium load targets over a period of five years, and will be governed by a Waste Discharge Requirement issued by the Regional Water Quality Control Board. There is now a Grasslands Oversight Committee, comprised of managers from the Bureau, Fish & Wildlife Service, EPA, Department of Fish and Game, and the Regional Board that meets quarterly to oversee the Bypass project, use of the drain, and compliance with the terms of the agreement. At the very least, this effort should be described in the text on page 2 and included in bullet #4 on page 3. We or the Bureau (who is the lead agency) can provide much more information regarding these efforts.
- The paper should also describe some of the Regional Water Board's activities in this area. For example, in addition to their participation in the Grasslands Bypass Project, the Board staff have proposed a total maximum monthly load (TMML) for selenium for certain reaches of the San Joaquin River.

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We are concerned with the language in the sixth bullet (page 3) that CALFED will support "1990 Plan recommendations that are currently being implemented...(or) that have local and SJVDIP support." The actions included in the 1990 Rainbow Report represent a package of many actions addressing a range of approaches; it is inappropriate for CALFED to now pick and choose only certain actions that other parties endorse. If we want CALFED to select or incorporate certain actions into the program, the CALFED agencies need to conduct a thoughtful and careful analysis of the original package of actions and determine for themselves which actions to include. In particular, the issue of land retirement - which was part of the 1990 Rainbow Report - is one that merits further discussion and consideration amongst the CALFED agencies.

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The eighth bullet (page 3) states that CALFED endorses and supports the MOU on efficient agricultural water management practices "as a means of implementing the source control recommendations of the 1990 Plan." This statement could be interpreted to mean that CALFED agencies view this as the only means to accomplish source control, which is not the case. This bullet should either be deleted or the list of activities to address source control should be greatly expanded.

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The third bullet (page 3) discusses adopting "an overall watershed approach for encouraging comprehensive solutions to...water quality problems..."; truly comprehensive solutions should address more than just water quality. We suggest the following additional language for that bullet or another bullet: "CALFED will promote on-farm management practices that reduce chemical inputs that may impact water quality while improving agricultural production."

We appreciate the opportunity to comment on this issue paper. We look forward to seeing another draft that addresses our concerns and would be happy to work with you on the redraft. As always, please feel free to contact me for further information or clarification at (415) 744-2019.