Appendix A – Exchange Contractor's Approval Letter

SAN JOAQUIN RIVER EXCHANGE CONTRACTORS WATER AUTHORITY
CCID • CCC
FCWD • SLCC

Consisting of 240,000 acres on the Westside of the San Joaquin Valley

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Executive Director

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Water Resources Specialist

JOANN TOSCANO
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General Manager

FIREBAUGH CANAL WATER DISTRICT
Mike Stearns
President
Jeff Bryant
General Manager

COLUMBIA CANAL COMPANY
Roy Catania
President
Randy Houk
General Manager

P.O. Box 2115
541 H Street
Los Banos, CA 93635
(209) 827-8616
Fax (209) 827-9703
e-mail: jtoscano@sjrecwa.net
Website: www.sjrecwa.net

January 13, 2009

VIA EMAIL & U.S. MAIL
Mr. Michael Jackson
U.S. Bureau of Reclamation
1243 N Street
Fresno, CA 93721-1813

Ms. Frances Mizuno
San Luis & Delta-Mendota Water Authority
Post Office Box 2157
Los Banos, CA 93635

RE: ***2009 DMC Pumping***

Dear Michael and Frances:

This letter is to confirm the San Joaquin River Exchange Contractors Water Authority's (Exchange Contractors) approval of your request to continue the DMC pumping program in 2009. As a result of subsidence effects being determined in 2008, this year's program has been modified to include that no pumping will be allowed in Management Areas 2 and 3.

The Exchange Contractors' Board approval for this pumping is based upon the conditions set forth below:

1. Any well that is proposed to pump into the lower DMC must obtain a current water quality analysis. The analysis shall consist of Ag Suitability and selenium, plus any other constituents the U.S. Bureau of Reclamation (USBR) may require. (Wells may be pumped for 24 hours in order to get the initial sample for water quality testing) These tests will be conducted on a monthly basis for the duration of the pumping period. From our perspective, pumping may begin once we have received copies of current lab test results for salinity and selenium, recognizing the other constituents may take longer to obtain the lab results.

2. Only wells that test at 1,500 ppm TDS or less at the well head will be allowed.

3. Only wells that test at 2 ppb selenium or less at the well head will be allowed.

4. The calculated degradation caused by the lower DMC wells shall not exceed 30 ppm. (The model developed by USBR during the 2008 pumping program shall be used and USBR shall provide at least weekly updates of the reports to the Exchange Contractors.)

5. At any time, the wells in the lower DMC will be shut off if the measured water quality at Check 20 on the DMC exceeds 450 ppm TDS in a single day. The wells may resume pumping after the average water exceedence no longer exists for 3 days.

6. The water would be credited to the receiving district as a whole, not for specific growers.

7. The wells will only run through February 28, 2010.

If you agree with the program as outlined, and before any additional lower DMC pumping commences, we request that each of your agencies confirm in writing to the program described above. Please contact us if you have any questions regarding this matter.

Sincerely,

Steve Chedester

cc: San Joaquin River Exchange Contractors Board Members
Paul Minasian, Esq.

From: Jonathan Connolly
To: Clinton, Patricia
Date: 2/10/2009 12:51:47 PM
Subject: Re: Project No. 09-SCAO-076 - DMC WA contract draft EA

Project No. 09-SCAO-076.1

Patricia:

I have reviewed the revised EA for the Approval of One-Year Temporary Warren Act Contracts for the Conveyance of Non-CVP Water in the Delta-Mendota Canal dated February 2009. The No Action, and Proposed Action Alternatives have no potential to affect historic properties pursuant to 36 CFR 800.3(a)(1).

Reclamation proposes to issue one-year temporary Warren Act contracts in 2009 to requesting CVP contractors within the Delta Division and San Luis Unit for a combined total of up to 50,000 AF for the 2009 contract year ending February 28, 2010 for the delivery of non-CVP water in the DMC. Conveyance of non-CVP water under a Warren Act contract would be subject to available capacity. The non-CVP water would only be used for irrigation purposes on established lands. There would be no new construction or excavation occurring as part of the Proposed Action. No native or untilled land (fallow for 3 years or more) may be cultivated with CVP water involved with these actions.

The approval of this action will not result in bringing new or untilled lands into agricultural production. Conveyance of the Non-Project Water would be infrequent, intermittent, unpredictable and small, relative to existing water needs and operations. Conveyance of water would occur within existing facilities. If there are no changes to the action alternative then there will be no additional need to consider effects to cultural resources. By determining that the action has no potential to affect historic properties, Reclamation has concluded the Section 106 process and there will be no impacts to cultural resources as a result.

I have made edits to the regulatory context under section 4.3 National Historic Preservation Act (16 USC 470 et seq.). I have attached the edited EA to this email.

Please retain a copy of this email for the project files. Thank you for providing the opportunity to comment.

Sincerely,

Jonathan D. Connolly, M.A., RPA
Archaeologist
U.S. Bureau of Reclamation
Mid-Pacific Region
2800 Cottage Way, MP-153
Sacramento, CA. 95825
916-978-5042
jconnolly@mp.usbr.gov

>>> Patricia Clinton 02/10 8:29 AM >>>
Good morning,

Attached is an updated draft for your review and comment. There has been a slight change in the project description.

Thank you.

Sincerely,

Patti Clinton
Natural Resources Specialist
Bureau of Reclamation
1243 N Street
Fresno, CA 93721
(559) 487-5127

CC: mp-153

From: Patricia Rivera
To: Clinton, Patricia
Date: 1/20/2009 10:00:01 AM
Subject: Re: Draft EA-08-98 and ITA form

Patti,

I reviewed the proposed action to issue one-year temporary Warren Act Contracts in 2009 to requesting CVP contractors within the Delta Division and San Luis Unit (limited to those listed below) for a combined total of up to 50,000 AF for the 2009 contract year ending February 28, 2010 for the delivery of non-CVP water in the DMC. Conveyance of non-CVP water under a Warren Act Contract would be subject to available capacity.

The following is a list of the Delta Division water districts who could potentially participate in this Proposed Action:

- Banta-Carbona Irrigation District
- Byron Bethany Irrigation District
- Del Puerto Water District
- Eagle Field Water District
- Oro Loma Water District
- Mercy Springs Water District
- West Stanislaus Irrigation District
- Patterson Irrigation District

The following are the San Luis Unit water districts who could potentially participate in this Proposed Action:

- Pacheco Water District
- Panoche Water district
- San Luis Water District
- Westlands Water District

A source of non-CVP water would be District groundwater pumping. The Districts would pump groundwater from wells close to the DMC directly into the DMC. The amount of water pumped into the DMC would be measured by SLDMWA field staff. Participating Districts intend to pump up to 10,000 AF of groundwater into the DMC. The District would then take out a like amount from turnouts on the DMC to be conveyed through their distribution systems for agricultural use to water users within the District.

Three districts (San Luis, Pacheco, and Panoche Water Districts) are connected to both the DMC and San Luis Canal. Under the proposed contracts, groundwater could be pumped into the DMC which would be credited to each district and delivered from the DMC to satisfy other DMC demands and, in exchange, CVP water would be delivered to each district through the San Luis Canal. No groundwater would be pumped directly into the San Luis Canal under this Proposed Action.

Each district would be required to confirm that the proposed pumping of groundwater would be compatible with local groundwater management plans. Each district would be limited to pumping a quantity below the "safe yield" as established in the groundwater management plan, in order to prevent

groundwater overdraft and avoid adverse impacts. Historically, well water must be tested prior to introduction into the canal to ensure compliance with water quality standards. However, in times of emergency and extreme water supply shortage years, Reclamation has approved modified water quality standards. Due to the anticipated water shortage year, the 2009 water quality standards would be modified standards. With the anticipated severe water supply short year, the modified standard is provided to maximize available supplemental supplies from non-CVP sources of water. Water quality test results are good for three consecutive years. Subsequent testing of the well water could be made at various times to maintain water quality in the canal. The water would only be used for irrigation purposes on established lands.

Modified Water Quality Standards

Upper DMC Standards:

Boron	2.0 mg/L
EC	2200 μmhos/cm
Sulfate	400 mg/L
Total Dissolved Solids (TDS)	1500 mg/L
Selenium	2.0 μg/L

Water Quality of the DMC water at O'Neill Intake Channel shall not exceed:

Lower DMC Water Quality Standards:

Selenium	2 μg/L
TDS	1500 mg/L

The calculated degradation for TDS caused by the lower DMC wells shall not exceed 30 mg/L.

The wells pumping into the lower DMC shall be shut off in the measured water quality at Check 20 on the DMC exceeds 450 mg/L TDS in a single day. The wells may resume pumping after the average water exceedance no longer exists for three days.

Other requirements for groundwater pumping:

The water must be credited to the receiving district as a whole, not to specific growers. Wells in Management Areas 2, 3, and 4 would be precluded from pumping into the DMC due to pumping of these wells attribute to causing subsidence.

Additionally, Byron Bethany Irrigation District (BBID), previously known as Plainview Water District, has up to 1,500 AF of pre-1914 water rights that is pumped by the California Department of Water Resources (DWR) via the Clifton Forebay and delivered to BBID. This non-CVP water would also be a potential source of water conveyed under this Warren Act Contract, and since it is pumped from the delta, it meets the current water quality standards.

Another component of the project is to allow Banta Carbona Irrigation District (BCID) and Patterson Irrigation District (PID) to convey under their Warren Act Contract up to 5,000 af of their non-CVP water supplies from the San

Joaquin River diverted based on pre-1914 water rights. BCID supplies are diverted from the San Joaquin River through a screened diversion at river mile 63.5 located about five miles north of Vernalis. PID supplies are diverted from the San Joaquin River at River Mile 98.5. The water is then conveyed through each respective District's distribution system and pumped into the DMC. This water can then be used by each District or transferred to other CVP contractors via the use of the DMC, the Mendota Pool or exchanged with CVP water for delivery in the San Luis Canal.

Furthermore, the above referenced SOD CVP contractors that would enter into a Warren Act Contract request the flexibility to transfer some of the groundwater that is pumped into the DMC to other SOD CVP contractors. Panoche Water District (PWD), in recent years, primarily due to chronic shortages in contract allocations, has actively participated in water transfers with other SLDMWA contractors including Oro Loma Water District (OLWD), Mercy Springs Water District (MSWD), Westlands Water Districts (WWD), Widren, BCID, and San Luis Water District (SLWD), as well as in transfer and banking projects involving other types of contractors (Reclamation 2005b).

Under this Warren Act Contract, the District would have the ability to stored pumped water in San Luis Reservoir.

Water quality and monitoring requirements are established by Reclamation. These standards were established to protect water quality in federal facilities by ensuring that imported water does not impair existing uses or negatively impact existing water quality conditions.

The effects of the non-CVP water in the DMC would be monitored to ensure Reclamation meets CVP water quality standards or as modified above. Reclamation staff would monitor the salinity of water in the DMC using sensors operated by Central Valley Operations Office (CVO). These real-time data are posted online by the California Data Exchange Center. Staff from Reclamation, CVO, and SLDMWA would monitor salinity in the canal daily to detect any adverse changes in water quality caused by the addition of the non-CVP water. The Warren Act Contract provides for additional analyses of each well as needed, and allows the Contracting Officer to shut down wells that cause water quality problems.

If salinity in the canal increases due to the non-CVP water, Reclamation would work with the SLDMWA and each District to modify or restrict the operation of wells to improve water quality.

There would be no new construction or excavation occurring as part of the Proposed Action. Pumping and conveyance would occur all within existing wells, meters, and pipes across DMC right-of-way.

No native or untilled land (fallow for 3 years or more) may be cultivated with CVP water involved with these actions.

Transfers and exchanges involving CVP water cannot alter the flow regime of natural waterway or natural water courses such as rivers, streams, creeks, ponds, pools, wetlands, etc., so as to have a detrimental effect on fish or wildlife or their habitats.

All transfers and exchanges involving CVP water must comply with all applicable Federal, State, and local laws, regulations, permits, guidelines and policies.

The proposed action does not affect Indian Trust Assets. The nearest ITA is Santa Rosa Rancheria, which is approximately 20 miles East of the project location.

Patricia

>>> Patricia Clinton 1/16/2009 3:26 PM >>>
Good afternoon,

Attached are the ITA form and draft EA for your review and comment.

Thank you.

Sincerely,

Patti Clinton
Natural Resources Specialist
Bureau of Reclamation
1243 N Street
Fresno, CA 93721
(559) 487-5127

From: Chris Eacock
To: Clinton, Patricia
Date: 2/10/2009 10:31:08 AM
Subject: Re: another question

Staff with Reclamation, the San Luis & Delta-Mendota Water Authority, and the San Joaquin River Exchange Contractors Water Authority will monitor water quality in the canal and Mendota Pool using in-situ sensors that provide 'real-time" measurements of salinity. Frequent monitoring will occur if the salinity approaches the threshold of 625 uS/cm electrical conductivity, equivalent to 400 mg/L Total Dissolved Solids. Reclamation will develop a protocol for shutting off non-project wells to reduce salinity in the canal and Mendota Pool.

Reclamation will use a computer model to predict contaminant loading and concentrations in the canal and Mendota Pool. Reclamation staff will specify which wells must be shut off, and District staff will deal directly with the well-operator to accomplish this.

A brief "lag time" between detection of the exceedance and the resultant shutting down of non-project wells, will be less than a day. The subsequent reduction in contamination will be no more than a day or two and would not cause any effect over the extremely short duration before the water quality standards are returned to the target levels.

Pumping may resume when the assimilative capacity of the canal and Mendota Pool is sufficient to dilute the non-project well water and meet water quality objectives. Reclamation will specify which wells may resume pumping in cooperation with the staff of each District and the San Luis & Delta-Mendota Water Authority.

>>> Patricia Clinton 02/10/09 7:48 AM >>>
This one is from Kinsey.

Is the following correct to say:

A brief "lag time" between detection of the exceedance (and the resultant shutting down of pumps) and the subsequent reduction in contaminant concentration will be no more than a day or two and would not cause any effect over the extremely short duration before the water quality standards are returned to the target levels.

Thank you.
Patti

From: Chris Eacock
To: Clinton, Patricia
Date: 2/13/2009 1:35:53 PM
Subject: Re: Daily monitoring for TDS for the DMC WA contract

Actually, we have sensors in place that provide us with continuous measurements of salinity via the Internet. We have established salinity standards for the canal and Mendota Pool. I plan to compile salt measurements daily into a mass balance to predict the salinity of the blend of Project and well water. If the blend approaches the standard, we will contact the District to shut down wells until the salinity is reduced. The Exchange Contractors will also be monitoring salinity at their diversion from the Mendota Pool.

We are running some statistics on old data to compare salinity with selenium concentration.

We will continue to collect daily composite samples of water from the canal and Mendota Pool. These will be collected weekly and sent to the lab for selenium measurements. The preliminary results should be available up to ten days after each week.

Hope this isn't too confusing.

>>> Patricia Clinton 02/13/09 12:52 PM >>>
I guess I misunderstood what was said. Kinsey says there needs to be daily monitoring but I thought it was weekly monitoring.

Would you explain that a little better for me.

Thank you.

Patti

From: Valerie Curley
To: Clinton, Patricia
Date: 2/10/2009 10:40:18 AM
Subject: my comments>>Re: Most Recent Draft EA for DMC WA contract

Patti,
Thanks for keeping this moving along. I only have a few comments and they are as follows:
* page 1, Section 1.2 - Purpose and Need, 6th line: change 'will likely be zero' to 'will likely be very low'.

* page 19, 3rd paragraph - Instead of listing the settlement contractors and exchange contractors after suggest ending the sentence after 'rely on Mendota Pool for water deliveries'.

page 27, 2nd paragraph - 4th line - change existing sentence that begins with 'If a well to be used' to 'If a well to be used for pumping water into the DMC does not meet the water quality standards the district could not pump water from that well into the DMC under the Warrren Act contract. If the district does pump water from that well, the district does not get credit for the water pumped since the Warren Act contract precludes it."

To Eileen - please modify the above if necessary.
Thanks,
Valerie

>>> Patricia Clinton 02/10/09 10:16 AM >>>
Frances is very uncomfortable with limiting the WA contract to 8,000 AF for SLWD. So, I will be talking to Stephen Lee about it again with information that SLWD has provided. If Stephen Lee agrees with SLWD's information/assessment of the situation, the final EA can be corrected to the 10,000 AF.

Thank you for your patience.

Sincerely,

Patti Clinton
Natural Resources Specialist
Bureau of Reclamation
1243 N Street
Fresno, CA 93721
(559) 487-5127

CC: Ballew, Rena; James, Cathy; Jones, Eileen

From: Chris Eacock
To: Clinton, Patricia
Date: 2/10/2009 10:31:08 AM
Subject: Re: another question

Staff with Reclamation, the San Luis & Delta-Mendota Water Authority, and the San Joaquin River Exchange Contractors Water Authority will monitor water quality in the canal and Mendota Pool using in-situ sensors that provide 'real-time" measurements of salinity. Frequent monitoring will occur if the salinity approaches the threshold of 625 uS/cm electrical conductivity, equivalent to 400 mg/L Total Dissolved Solids. Reclamation will develop a protocol for shutting off non-project wells to reduce salinity in the canal and Mendota Pool.

Reclamation will use a computer model to predict contaminant loading and concentrations in the canal and Mendota Pool. Reclamation staff will specify which wells must be shut off, and District staff will deal directly with the well-operator to accomplish this.

A brief "lag time" between detection of the exceedance and the resultant shutting down of non-project wells, will be less than a day. The subsequent reduction in contamination will be no more than a day or two and would not cause any effect over the extremely short duration before the water quality standards are returned to the target levels.

Pumping may resume when the assimilative capacity of the canal and Mendota Pool is sufficient to dilute the non-project well water and meet water quality objectives. Reclamation will specify which wells may resume pumping in cooperation with the staff of each District and the San Luis & Delta-Mendota Water Authority.

>>> Patricia Clinton 02/10/09 7:48 AM >>>
This one is from Kinsey.

Is the following correct to say:

A brief "lag time" between detection of the exceedance (and the resultant shutting down of pumps) and the subsequent reduction in contaminant concentration will be no more than a day or two and would not cause any effect over the extremely short duration before the water quality standards are returned to the target levels.

Thank you.
Patti

From: "Frances Mizuno" <frances.mizuno@sldmwa.org>
To: "Patricia Clinton" <pclinton@mp.usbr.gov>
Date: 2/10/2009 10:51:03 AM
Subject: RE: FW: Warren Act EA

Patty,

I would request that we have the opportunity to discus this with Reclamation's hydrologist asap.
We monitor the groundwater levels twice a year for all the wells that pump into the DMC and have done so since 1991. As for subsidence, we have not historically seen subsidence in the upper end of the DMC. All subsidence has been in the Management Areas 2 and 3 and that is why we are not allowing pumping in those areas.
I'll give you a call to discuss.

-----Original Message-----
From: Patricia Clinton [mailto:pclinton@mp.usbr.gov]
Sent: Tuesday, February 10, 2009 10:34 AM
To: Frances Mizuno
Subject: Re: FW: Warren Act EA

Frances,

I am really concerned about the overdraft situation, especially in light of three years in a row of drought.

Martin's statement: "In addition all but 4,000 af of our proposed pump in water comes from north of our District where there is little if any subsidence." How is he monitoring subsidence north of the District?

>>> "Frances Mizuno" <frances.mizuno@sldmwa.org> 02/10/09 10:04 AM >>>
See info from SLWD. Please forward to the hydrologist. Can you also provide the name of the hydrologist that you are working with as well.
Thanks.

From: Martin McIntyre [mailto:martin.m3653@sbcglobal.net]
Sent: Monday, February 09, 2009 9:14 AM
To: Frances Mizuno
Subject: Re: Warren Act EA

--- On Mon, 2/9/09, Martin McIntyre <martin.m3653@sbcglobal.net> wrote:

From: Martin McIntyre <martin.m3653@sbcglobal.net>
Subject: Re: Warren Act EA

To: "Martin McIntyre" <martin.m3653@sbcglobal.net>
Date: Monday, February 9, 2009, 8:49 AM

Francis.. a correction-

I stated below that "of the 4,834 AF that was pumped into the DMC from lands within SLWD"..... actually about 2,000 AF of that amount was pumped from CCID ground. It is piped into the DMC @ MP 78.31 which is in SLWD, however the well is outside the SLWD on CCID ground.

Please call me if you think Reclamations request that SLWD limit Warren
Act deliveries to 8,000 AF may continue to be an issue.

martin

--- On Fri, 2/6/09, Martin McIntyre <martin.m3653@sbcglobal.net> wrote:

> From: Martin McIntyre <martin.m3653@sbcglobal.net>
> Subject: Warren Act EA
> To: "Frances Mizuno" <frances.mizuno@sldmwa.org>
> Date: Friday, February 6, 2009, 5:37 PM

I am completely baffled by the request from Reclamation to reduce our total to 8,000 af. The most significant subsidence is from MP 89 south.
Mostly Pacheco south. Of the 4,834 acre feet pumped into the DMC from lands within SLWD 3,000 went to Panoche. In addition all but 4,000 af of
our proposed pump in water comes from north of our District where there
is little if any subsidence.

We fully anticipate 12,000-14,000 feet total for next year. I don't want to start at 8,000 and fight our way back with the anticipated EA Supplement.

martin

CC: <martin.m3653@sbcglobal.net>

From: Eileen Jones
To: Cathy James; Judi Tapia; Patricia Clinton; Rena Ballew; Valerie Curley
Date: 1/22/2009 9:23:28 AM
Subject: Fwd: 2009 Water Quality Standards for Wheeling Non-Project Water in the Delta-Mendota Canal

FYI - Frances' plea to the State Water Contractors

Eileen N. Jones
Repayment Specialist
Phone: (209) 836-6271
Fax: (209) 836-6264

>>> "Frances Mizuno" <frances.mizuno@sldmwa.org> 1/22/2009 8:31 AM >>>
Dan and Terry,

CVP contractors have requested the ability to pump groundwater into the upper Delta-Mendota Canal (DMC) for the period March 1, 2009 to February 28, 2010. The total quantity of groundwater to be pumped into the upper DMC would be less than 15,000 acre-feet. The ground water will be blended with CVP water and delivered directly to farmland along the canal. However, there may be brief periods when the blended water will be pumped into the O'Neill Forebay and mixed with water of the State Water Project: possibly during March 2009 and October 2009 - February 2010.

In 2008, the State Water Contractors (SWC) specified maximum concentrations for five constituents of concern (boron, nitrates, selenium, sulfates, EC, and TDS) for wheeling groundwater in the California Aqueduct. The San Luis & Delta-Mendota Water Authority and Reclamation provided data to the SWC on the concentrations of these constituents in the DMC and participated in conference calls with DWR and downstream water users.

At this time, seventeen wells are connected to the DMC between the Jones Pumping Plant and the O'Neill Forebay. The water in every well has been tested and all meet the 2008 concentrations specified by the SWC. The results are summarized on the attached table.

As you are aware, the 2009 CVP water supply will be severely diminished by drought and restrictions in pumping from the Delta. We request that water quality standards be established for water that will be pumped from the DMC into the O'Neill Forebay during 2009.

We recommend these standards when water is being pumped from the DMC into the O'Neill Forebay in 2009:

1. The blend of DMC water and groundwater shall meet the 2008 standards for the five constituents of concern; furthermore, the standards shall be met at each wellhead.

2. The blend of DMC water and groundwater shall be tested monthly by Reclamation for complete Title 22 constituents. The sample location will be McCabe Road across the DMC, upstream of the intake canal to the O'Neill Forebay.

3. Daily, Reclamation and the Authority will monitor the salinity of water in the DMC and will use a mass balance model to calculate the assimilation of groundwater in the canal.

4. Water quality data will be sent to DWR and the SWC in weekly summaries.

I would be happy to meet with you at your earliest convenience to further discuss this request in order to establish water quality standards so that we may begin the 2009 pump-in program by March 1, 2009. Thank you for your consideration of this request.

Frances Mizuno

Assistant Executive Director

San Luis & Delta-Mendota Water Authority

From: "Frances Mizuno" <frances.mizuno@sldmwa.org>
To: "Patricia Clinton" <pclinton@mp.usbr.gov>
Date: 1/15/2009 1:19:09 PM
Subject: RE: 2009 Warren Act EA

The schedule for pumping is the maximum rate assuming the relaxed standards are approved and that Reclamation approves the ability to store the water for use in the summer months. How this work would be:

Districts would pump water into the DMC. If the pumped-in water quantity exceeds what the districts demand is for that water within a 60 day period after pumping, the balance of the unused water would be placed in storage in SLR for later use. The Authority would account for the pumped-in water, water delivered and water stored.

Another variation to that can be:

District would pump a certain quantity of water into the DMC. That quantity of water can be delivered to meet their district demand and any excess amount can be used by Reclamation to meet downstream CVP contractual demands and in exchange Reclamation can provide CVP water at a later date back to the District to use during their peak irrigation season. Again, the Authority can measure and account for the water.

Water quality standard relaxation is necessary to allow for more wells to be able to pump into the DMC. Many the well water quality meet the normal standards but there are other wells that for certain constituents exceed the normal standards. An example is TDS. The normal standard for TDS for the Lower DMC is 800 mg/l. If the standard is relaxed to 1250 mg/l as the EC Contractors have agreed to, more wells can pump into the DMC and therefore increase the available supplemental water supply. Last year water quality relaxation was only necessary for the three summer months because we were under a restriction on the quantity of CVP water that can be delivered during those months. For 2009 with the outlook of a water supply allocation of 0-10% supply for AG Service Contractors, we are looking to supplement water supply for the entire year and the ability to pump for 12 months drastically increased the available supply.

Reclamation currently monitors water quality at various sites allow the DMC and therefore, if we see spikes in the water quality in the DMC to an unacceptable level, we can order the wells to be shutdown. The requirements under the EC approval of relaxed standards have some monitor requirements that the Authority in coordination with Reclamation (Chris Eacock) will provide. As for subsidence, we are allowing pumping in the subsidence prone areas of the DMC (Management Areas 2,3 and 4 - See maps that were included in last year's supplemental EA) Therefore, I'm not concerned with subsidence. However, we do have an extensimeter located along the DMC at Russell Avenue that we monitor for subsidence and we will continue to do so. This will provide data on subsidence in the subsidence prone areas.

If hope I have answered your questions. Chris Eacock should be able to assist you more related to issues related to water quality. Please let me know if you have any thing else I can provide you.

Thanks for your help.

Frances

-----Original Message-----
From: Patricia Clinton [mailto:pclinton@mp.usbr.gov]
Sent: Thursday, January 15, 2009 11:19 AM
To: Frances Mizuno
Cc: Judi Tapia
Subject: RE: 2009 Warren Act EA

Good morning,

Thank you for providing all the information; it is very useful. I have a few more questions.

The tables your provided show that the groundwater pumping quantities per district would be done on a monthly basis. Groundwater pumping timing is not something I have a lot of expertise in so I am trying to understand. I thought there would only be groundwater pumping during certain periods of times, not on a monthly basis. If doing it on a monthly basis, would it be stored? Can you provide more information about that?

You are still requesting relaxation of the water quality standards during the year (versus last year for a short period of time). What water quality issues do you anticipate for the whole year that you need the standards relaxed during the year?

What kinds of environmental commitments or monitoring can you add/provide to the proposed action that could alleviate potential subsidence or water quality problems?

Thank you.

Sincerely,

Patti Clinton
Natural Resources Specialist
Bureau of Reclamation
1243 N Street
Fresno, CA 93721
(559) 487-5127

>>> "Frances Mizuno" <frances.mizuno@sldmwa.org> 01/14/09 2:49 PM >>>
Eileen,

I have discussed the issue of Reclamation's ability to complete the EA by March 1 and it is our request that Reclamation completes an EA by March 1 that would allow for:

1. 50,000 AF of pumping
2. Relaxed Lower DMC water quality standards as approved by the Exchange Contractors. (See attached January 13, 2009 letter)

3. Relaxed Upper DMC standards which will be the same as the relaxed Lower DMC water quality standard and these wells would only be able to pump when O'Neill is not pumping.
4. Ability to store pumped water.

The Authority will continue to work with the State Water Contractor and
DWR to get further relaxation for the upper DMC. Once we have worked out a further relaxed standard for the upper DMC then the new relaxed standards can be incorporated into an amended EA which can include additional pumping up to 75,000AF which we hope to have completed by the
end of April. Chris Eacock should be able to do the modeling necessary
to determine any water quality impacts of the relaxed standard to the DMC and Mendota Pool water quality. Much of this was already performed
in 2008.

The information you requested below is provide in the attached spreadsheet. Please let me know if I can provide any additional information that will assist you in the preparation of the EA. Thank you for all your help.

Frances

-----Original Message-----
From: Eileen Jones [mailto:ejones@mp.usbr.gov]
Sent: Monday, January 12, 2009 10:38 AM
To: Frances Mizuno
Cc: Chris Eacock; Judi Tapia; Laura Myers; Patricia Clinton; Valerie Curley
Subject: 2009 Warren Act EA

Good Morning Frances.

We are working diligently in trying to accomplish the task before us on
the 2009 Warren Act EA. We require additional information in order to complete that task.

1. Can you identify the contractors that would require the relaxed Water Quality Standards?
2. Can you provide the sources of non-project water and estimated quantifies to be conveyed by contractor?
3. Identify contractors that wish to store?
4. Identify pumping needs/patterns/schedule?
5. Are you aware that Westlands Water District will also be a participant in the 2009 Warren Act contract?
6. How much groundwater was pumped for WY2008 to date?

Just as a reminder, the conference call is still scheduled for tomorrow, January 13, 2009 at 10:00AM - call in number: 888-322-1357 and
Passcode: 4618467

Eileen N. Jones
Repayment Specialist
Phone: (209) 836-6271
Fax: (209) 836-6264

CC: "Judi Tapia" <JTAPIA@mp.usbr.gov>, "Eileen Jones" <ejones@mp.usbr.gov>, "Chris Eacock" <CEACOCK@mp.usbr.gov>

SAN JOAQUIN RIVER EXCHANGE CONTRACTORS WATER AUTHORITY
CCID • CCC
FCWD • SLCC

Consisting of 240,000 acres on the Westside of the San Joaquin Valley

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General Manager

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President

Jeff Bryant
General Manager

COLUMBIA CANAL COMPANY

Roy Catania
President

Randy Houk
General Manager

P.O. Box 2115
541 H Street
Los Banos, CA 93635
(209) 827-8616
Fax (209) 827-9703
e-mail: jtoscano@sjrecwa.net
Website: www.sjrecwa.net

January 13, 2009

VIA EMAIL & U.S. MAIL
Mr. Michael Jackson
U.S. Bureau of Reclamation
1243 N Street
Fresno, CA 93721-1813

Ms. Frances Mizuno
San Luis & Delta-Mendota Water Authority
Post Office Box 2157
Los Banos, CA 93635

RE: ***2009 DMC Pumping***

Dear Michael and Frances:

This letter is to confirm the San Joaquin River Exchange Contractors Water Authority's (Exchange Contractors) approval of your request to continue the DMC pumping program in 2009. As a result of subsidence effects being determined in 2008, this year's program has been modified to include that no pumping will be allowed in Management Areas 2 and 3.

The Exchange Contractors' Board approval for this pumping is based upon the conditions set forth below:

1. Any well that is proposed to pump into the lower DMC must obtain a current water quality analysis. The analysis shall consist of Ag Suitability and selenium, plus any other constituents the U.S. Bureau of Reclamation (USBR) may require. (Wells may be pumped for 24 hours in order to get the initial sample for water quality testing) These tests will be conducted on a monthly basis for the duration of the pumping period. From our perspective, pumping may begin once we have received copies of current lab test results for salinity and selenium, recognizing the other constituents may take longer to obtain the lab results.

2. Only wells that test at 1,500 ppm TDS or less at the well head will be allowed.

3. Only wells that test at 2 ppb selenium or less at the well head will be allowed.

4. The calculated degradation caused by the lower DMC wells shall not exceed 30 ppm. (The model developed by USBR during the 2008 pumping program shall be used and USBR shall provide at least weekly updates of the reports to the Exchange Contractors.)

5. At any time, the wells in the lower DMC will be shut off if the measured water quality at Check 20 on the DMC exceeds 450 ppm TDS in a single day. The wells may resume pumping after the average water exceedence no longer exists for 3 days.

6. The water would be credited to the receiving district as a whole, not for specific growers.

7. The wells will only run through February 28, 2010.

If you agree with the program as outlined, and before any additional lower DMC pumping commences, we request that each of your agencies confirm in writing to the program described above. Please contact us if you have any questions regarding this matter.

Sincerely,

Steve Chedester

cc: San Joaquin River Exchange Contractors Board Members
Paul Minasian, Esq.

Section 1 Purpose and Need for Action

1.1 Background

The San Luis & Delta-Mendota Water Authority (SLDMWA), on behalf of its Member Agencies has requested approval of one-year Warren Act Contracts for Contract Water Year 2009 (March 1, 2009-February 28, 2010). Warren Act Contracts allow for the storage and conveyance of non-Central Valley Project water in the Bureau of Reclamation (Reclamation) owned Central Valley Project (CVP) facilities for irrigation purposes when excess capacity exists in CVP facilities. Conveyance and storage of non-CVP water is limited to the availability of excess capacity in CVP facilities and water quality.

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1.2 Purpose and Need

In 2009, and probably for several years to come, because of hydrologic conditions and/or regulatory constraints, the operation of the CVP by Reclamation, will likely result in less water being made available to the south-of-Delta CVP water service contractors and SWP contractors than is required to meet the demands of their customers. Both 2007 and 2008 were dry years. Reclamation is prediction 2009 to be another dry year. In addition, due to the Delta Smelt Biological Opinion issued on December 15, 2008 for the Federal Central Valley Project, operation of the Federal Jones Pumping Plant will be limited and further reduce available CVP contract supplies. Pumping curtailments began in 2007 in response to Federal Judge Oliver Wanger's Delta Smelt interim Remedy Order. Water District members of the SLDMWA will need additional water to supplement their 2009 CVP water supply during a dry year shortage.

1.3 Scope

This environmental assessment (EA) has been prepared to examine the impacts on environmental resources as a result of conveying non-CVP water in federal facilities. The non-CVP water would be:

a) Delivered through the Delta-Mendota Canal (DMC) to water districts in the Delta Division or
b) Exchanged with CVP water and delivered through the San Luis Canal to the San Luis Unit Contractors or
c) Exchanged with CVP water for later delivery of CVP water in the Water Year through the Delta-Mendota Canal to the Delta Division or the San Luis Canal to the San Luis Unit or

d) Stored in San Luis Reservoir for later delivery to the Delta Division or San Luis Unit Contractors.

The following Districts are considered in the EA in the effects analysis and could potentially participate in this Proposed Action:

- Byron Bethany Irrigation District
- Banta Carbona Irrigation District
- Del Puerto Water District
- Patterson Irrigation District
- West Stanislaus Irrigation District
- San Luis Water District
- Panoche Water District
- Pacheco Water District
- Eagle Field Water District
- Oro Loma Water District
- Mercy Springs Water District

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Section 2 Alternatives Including Proposed Actions

2.1 Alternative A – No Action

The No Action Alternative consists of the continuation of deliveries of CVP water supply in accordance with the terms and conditions of the applicable districts' CVP water service contracts. Without the Proposed Action, SLDMWA could not use this water in its service area and would need to construct facilities to deliver this water. The construction of new facilities would duplicate a portion of the CVP facilities. Participating contractors could sell this non-CVP water to willing buyers.

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2.2 Alternative B - Proposed Action

Reclamation proposes to issue one-year temporary Warren Act Contracts to requesting CVP contractors within the Delta Division and San Luis Unit (limited to those listed in Section 1.3) for the delivery of a combined total of up to 10,000 AF of non-CVP water per Contractor for the 2009 contract year ending February 28, 2010. Conveyance and storage of non-CVP water under a Warren Act Contract would be subject to available capacity.

The following is a list of the Delta Division water districts who could potentially participate in this Proposed Action:

- Banta-Carbona Irrigation District
- Byron Bethany Irrigation District

- Del Puerto Water District
- Eagle Field Water District
- Patterson Irrigation District
- Oro Loma Water District
- Mercy Springs Water District
- West Stanislaus Irrigation District

The following are the San Luis Unit water districts who could potentially participate in this Proposed Action:

- Pacheco Water District
- Panoche Water District
- San Luis Water District

A source of non-CVP water would be District groundwater pumping. The Districts would pump groundwater from wells close to the DMC directly into the DMC. The amount of water pumped into the DMC would be measured by SLDMWA field staff. Participating Districts intend to pump up to 10,000 AF of groundwater into the DMC. The District would then take out a like amount from turnouts on the DMC to be conveyed through their distribution systems for agricultural use to water users within the District.

Three districts (San Luis, Pacheco, and Panoche Water Districts) are connected to both the DMC and San Luis Canal. Under the proposed contracts, groundwater could be pumped into the DMC which would be credited to each district and delivered from the DMC to satisfy other DMC demands and, in exchange, CVP water would be delivered to each district through the San Luis Canal. No groundwater would be pumped directly into the San Luis Canal under this Proposed Action.

Each district would be required to confirm that the proposed pumping of groundwater would be compatible with local groundwater management plans. Each district would be limited to pumping a quantity below the "safe yield" as established in the groundwater management plan, in order to prevent groundwater overdraft and avoid adverse impacts. Historically well water must be tested prior to introduction into the canal to ensure compliance with water quality standards specified in Tables l-1 or 1-2. However, in times of emergency and extreme water supply shortage years, Reclamation has approved modified water quality standards. Due to the anticipated water shortage year, the 2009 water quality standards are modified standards. With the anticipated severe water supply short year, the modified standard is provided to maximize available supplemental supplies from non-CVP sources of water. Water Quality tests results are good for three consecutive years. Subsequent testing of the well water could be made at various times to maintain water quality in the canal. The water would only be used for irrigation purposes on established lands.

Modified Water Quality Standards:

Upper DMC Standards:

Boron	2.0 mg/L
EC	2200 umhos/cm
Sulfate	400 mg/L
Total Dissolved Solids (TDS)	1500 mg/L
Selenium	2.0 ug/L

Water Quality of the DMC water at O'Neill Intake Channel shall not exceed:

(Chris Eacock will need to provide this information)

Lower DMC Water Quality Standards:

Se	2 ug/L
TDS	1500 mg/l

1. The calculated degradation for TDS caused by the lower DMC wells shall not exceed 30 mg/L.
2. The wells pumping into the lower DMC shall be shut off if the measured water quality at Check 20 on the DMC exceeds 450 mg/L TDS in a single day. The wells may resume pumping after the average water exceedance no longer exists for 3 days.

Other requirements for groundwater pumping:

1. The water must be credited to the receiving district as a whole, not to specific growers.
2. Wells in Management Areas 2 and 3 as depicted in the attached map are precluded from pumping into the DMC due to pumping of these wells attribute to causing subsidence.

Additionally, Byron Bethany Irrigation District (BBID), previously known as Plainview Water District, has up to 1,500 AF of pre-1914 water rights that is pumped by the California Department of Water Resources (DWR) via the Clifton Forebay and delivered to BBID. This non-CVP water would also be a potential source of water conveyed under this Warren Act Contract, and since it is pumped from the Delta, it meets the current water quality standards.

Another component of the project is to allow Banta Carbona Irrigation District (BCID)

and Patterson Irrigation District (PID) to convey under their Warren Act Contract up to 5,000 AF each of their non-CVP water supplies from the San Joaquin River diverted based on their pre-1914 water rights. BCID supplies are diverted from the San Joaquin River through a screened diversion at river mile 63.5 located about five miles north of Vernalis. PID supplies are diverted from the San Joaquin River at River Mile 98.5. The water is then conveyed through each respective district's distribution system and pumped into the DMC. This water can then be used by each district or transferred to other CVP Contractors via the use of the Delta-Mendota Canal, the Mendota Pool or exchanged with CVP water for delivery in the San Luis Canal.

Additionally, the above referenced SOD CVP contractors that would enter into a Warren Act Contract request the flexibility to transfer some of the groundwater that is pumped into the DMC to other SOD CVP contractors. Panoche Water District (PWD), in recent years, primarily due to chronic shortages in contract allocations, has actively participated in water transfers with other SLDMWA contractors including Oro Loma, Mercy Springs, Westland, Widren, Banta-Carbona and San Luis Water Districts, as well as in transfer and banking projects involving other types of contractors (Reclamation 2005b).

A proposal to change the point of conveyance/delivery under SLWD's Warren Act contract to include Panoche WD for water pumped from the well at MP 80.03 is also part of the Proposed Action.

Comment [p1]: I'm not sure this is necessary. Seems like this well located at MP 80.03 can just included in Panoche's Warren Act Contract and therefore take care of this issue of point of conveyance/delivery.

Water quality and monitoring requirements are established by Reclamation. These standards were established to protect water quality in federal facilities by ensuring that imported water does not impair existing uses or negatively impact existing water quality conditions.

The effects of the non-CVP water in the DMC will be monitored to ensure Reclamation meets CVP water quality standards identified in Tables 1-1 and 1-2 or as modified above. Reclamation staff will monitor the salinity of water in the DMC using sensors operated by Central Valley Operations Office (CVO). These real-time data are posted online by the California Data Exchange Center. Staff from Reclamation, CVO, and SLDMWA will monitor salinity in the canal daily to detect any adverse changes in water quality caused by the addition of the non-CVP water. The Warren Act Contract provides for additional analyses of each well as needed, and allows the Contracting Officer to shut down wells that cause water quality problems.

If salinity in the canal increases due to the non-CVP water, Reclamation staff will work with the SLDMWA and each District to modify or restrict the operation of wells to improve water quality.

There would be no new construction or excavation occurring as part of the Proposed Action. Pumping and conveyance would occur all within existing wells, meters, and pipes across DMC right-of-way.

From: Rena Ballew
To: Bushard, George; Clinton, Patricia
Date: 2/5/2009 4:00:08 PM
Subject: Re: Marvin Meyers Banking

Patti,

It is me. This year they are going to pump

February	372 acre feet
March	659 acre feet
April	638 acre feet
May	659 acre feet
June	638 acre feet
July	659 acre feet
August	659 acre feet
September	638 acre feet

4922 total.

Rena

>>> Patricia Clinton 02/05/09 3:58 PM >>>
I'm not sure who to ask so I decided to start with you two. Last year, the Marvin Meyers banking project pumped 3,600 AF into the Mendota Pool? Do you know if that will happen for this year as well? If so, I need to add it to my cumulative effects section of my EA for the DMC WA contract.

If you don't know the answer, do you know who would?

Thank you.

Patti