

COMMENT LETTER

RESPONSES



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COACHELLA VALLEY WATER DISTRICT

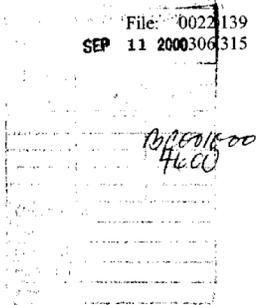
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September 8, 2000

File: 0022139
SEP 11 2000 306315



Jayne Harkins, BC00-4600
U.S. Department of the Interior
Bureau of Reclamation
Lower Colorado Regional Office
Post Office Box 61427
Boulder City, Nevada 89006

Dear Ms. Harkins:

This letter is in response to your transmittal of the draft Environmental Impact Study for the Colorado River Interim Surplus Criteria. The district values the opportunity to comment on this document.

Our comments are detailed in the enclosed Attachment A.

If you have any questions please call Robert Robinson, resource engineer, extension 424.

Yours very truly,

Tom Levy
General Manager-Chief Engineer

Enclosure/1/as

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TRUE CONSERVATION
USE WATER WISELY

Interim Surplus Guidelines

Coachella Valley
Water District

ATTACHMENT A

1. Page 1-21, Section 1.4.1 California Colorado River Water Use Plan
(4.4 Plan)

The Bureau of Reclamation implies that Interim Surplus guidelines will be in place prior to implementation of the 4.4 Plan and its associated settlement agreement quantifying the third, fourth, fifth and sixth priority California Colorado River water contractors.

1 | These comments are submitted with the understanding that the issues outlined in Quantification Settlement Agreement will be resolved on the time table set by the Secretary of the Interior. The district reserves the right to modify and add to these comments in the event progress does not proceed according to the agreed upon time table; it being understood that lack of progress on the Quantification Settlement Agreement would materially change the scope and impact of the proposed Interim Surplus Guidelines.

1: Comment noted.

2. Page 2-5, Section 2.3 Last Paragraph

2 | One of the difficulties in administering Colorado River water rights among the California Colorado River contractors is the unquantified nature of the priority system contained within federal contract. The priority system implicitly redefines Colorado River water, not as a private commodity subject to private sale under a free enterprise system, but as a managed commodity restricted to a specific service area and subject to reasonable and beneficial use. The Description of Alternatives does not describe the duty of the Secretary to actively enforce his contracts by ascertaining the reasonable and beneficial use of water by each contracting party.

2: The Secretary's responsibilities in administering the river system and water delivery contracts are addressed in Chapter 1. For further information regarding reasonable and beneficial use and Reclamation's authority, see response to 56-29.