FINAL SUPPLEMENTAL ENVIRONMENTAL ASSESSMENT

3-MONTH EXTENSTION OF THE 2010 WARREN ACT CONTRACT AND LICENSE FOR DELTA LANDS RECLAMATION DISTRICT NO. 770
Supplementing EA-09-177

Appendix B
Water Quality Requirements for use of the Friant-Kern Canal

June 2011

RECLAMATION

Managing Water in the West

Policy for Accepting Non-Project Water into the Friant-Kern and Madera Canals

Water Quality Monitoring Requirements

Friant-Kern Canal in Tulare County (Credit: Ted Holzem, Mintier & Associates)

U.S. Department of the Interior
Bureau of Reclamation
Mid-Pacific Region

March 7, 2008

United States Bureau of Reclamation
South-Central California Area Office
and
Friant Water Authority

Policy for Accepting Non-Project Water into the Friant-Kern and Madera Canals
Water Quality Monitoring Requirements

This Policy describes the approval process, implementation procedures, and responsibilities of a Contractor requesting permission from the U.S. Bureau of Reclamation (Reclamation) to introduce non-project water into the Friant-Kern and Madera Canals, features of the Friant Division of the Central Valley Project (CVP). The monitoring requirements contained herein are intended to ensure that water quality is protected and that domestic and agricultural water users are not adversely impacted by the introduction of non-project water. The discharge of non-project water shall not in any way limit the ability of either Reclamation or the Friant Water Authority (Authority) to operate and maintain the Canals for their intended purposes nor shall it adversely impact existing contracts or any other agreements. The discharge of non-project water into the Canals will be permissible only when there is excess capacity in the system as determined by the Authority and or Reclamation.

The Contractor shall be responsible for securing other requisite Federal, State or local permits.

Reclamation, in cooperation with the Authority, will consider all proposals to convey non-project water based upon this Policy's water quality criteria and implementation procedures established in this document. Table 1 provides a summary of the Policy's water quality monitoring requirements.

This policy is subject to review and modification by Reclamation and the Authority. Reclamation and the Authority reserve the right to change the water quality monitoring requirements for any non-project water to be conveyed in the Friant-Kern and Madera Canals.

A. Types of Non-Project Water

This policy recognizes three types of non-project water with distinct requirements for water quality monitoring.

1. "***Type A***" Non-Project Water

Water for which analytical testing demonstrates complete compliance with California drinking water standards (Title 22)[1], plus other constituents of concern recommended by the California Department of Health Services. Type A water must be tested every year for the full list of

1. Title 22. The Domestic Water Quality and Monitoring Regulations specified by the State of California Health and Safety Code (Sections 4010-4037), and Administrative Code (Sections 64401 et seq.), as amended.

constituents listed in Table 2. No in-prism (within the Canal) monitoring is required to convey Type A water.

2. "***Type B***" Non-Project Water

Water that generally complies with Title 22, but may exceed the Maximum Contaminant Level (MCL) for certain inorganic constituents of concern to be determined by Reclamation and the Authority on a case-by-case basis. This water may be discharged into the Canal over short-intervals. Type B water shall be tested every year for the full list of constituents in Table 2, and more frequently for the identified constituents of concern. Flood Water and Ground Water are Type B non-project water.

Type B water may not be pumped into the Friant-Kern Canal within a half-mile upstream of a delivery point to a CVP Municipal and Industrial contractor. At this time, there are no M & I Contractors served from the Madera Canal.

The introduction of Type B water into the Friant-Kern and Madera Canals will require regular in-prism monitoring to confirm that the CVP water delivered to downstream customers is suitable in quality for their needs. The location, frequency, and parameters of in-prism monitoring will be determined by Reclamation and the Authority on a case-by-case basis.

3. "***Type C***" Non-Project Water

Type C Water is non-project water that originates in the same source as CVP water but that has not been appropriated by the United States. For example, non-project water from a tributary within the upper San Joaquin River watershed, such as the Soquel Diversion from Willow Creek above Bass Lake, is Type C water. Another example is State Water Project water pumped from the California Aqueduct and Cross Valley Canal into the lower Friant-Kern Canal. No water quality analyses are required to convey Type C water through the Friant-Kern or Madera Canals because it is physically the same as Project water.

B. Authorization

The Warren Act (Act of February 21, 1911, ch. 141, 36 Stat. 925), as supplemented by Section 305 of Public Law 102-250, authorizes Reclamation to contract for the carriage and storage of non-project water when excess capacity is available in Federal water facilities. The terms of this Policy are also based on the requirements of the Clean Water Act (33 U.S.C. 1251 et seq.), the Endangered Species Act of 1973 (P.L. 93-205), the National Environmental Policy Act of 1969 (NEPA, 42 U.S.C. 4321 et seq.), the Reclamation Act of 1902 (June 17, 1902 as amended), and the Safe Drinking Water Act of 1974 (P.L. 93-523, amended 1986) and Title XXIV of the Reclamation Projects Authorization and Adjustments Act of 1992 (P.L. 102-575, 106 Stat 4600).

C. General Requirements for Discharge of Non-Project Water

1. Contract Requirements

A Contractor wishing to discharge non-project water into the Friant-Kern or Madera Canals must first execute a contract with Reclamation. The contract may be negotiated with Reclamation's South Central California Area Office (SCCAO) in Fresno.

2. Facility Licensing

Each non-project water discharge facility must be licensed by Reclamation and the Authority. The license for erection and maintenance of structures may be negotiated with the SCCAO.

3. Prohibition When the Canal is Empty

Non-project shall not be conveyed in the Friant-Kern or Madera Canals during periods when the canal is de-watered for maintenance.

D. Non-Project Discharge, Water Quality, and Monitoring Program Requirements

1. General Discharge Approval Requirements

Each source of non-project water must be correctly sampled, completely analyzed, and be approved by Reclamation prior to introduction into the Friant-Kern or Madera Canals. The Contractor shall pay the cost of collection and analyses of the non-project water required under this policy[2].

2. Water Quality Sampling and Analyses

Each source of Type A and B non-project water must be tested every year for the complete list of constituents of concern and bacterial organisms listed in Table 2. The analytical laboratory must be approved by Reclamation (Table 3).

3. Water Quality Reporting Requirements

Water quality analytical results must be reported to the Contracting Officer for review.

4. Type B Water Quality Monitoring

Reclamation will provide a Quality Assurance Project Plan (QAPP) that will describe the protocols and methods for sampling and analysis of Type B non-project water.

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2. Reclamation will pay for the collection and analyses of quarterly baseline samples collected at Friant Dam and Lake Woolomes.

The program may include sampling of canal water upstream and downstream of the Contractor's discharge point into the Friant-Kern or Madera Canal. The location of samples, and the duration and frequency of sampling, and the list of constituents to be analyzed, may be changed upon review of measured trends in concentration of those constituents of concern.

E. Control of Water Quality in the Friant Division

The quality of CVP water will be considered impaired if the conveyance of the Contractor's non-project water is causing the quality of CVP water to exceed a maximum contaminant level specified in Title 22 (Table 2).

Reclamation, in consultation with the Authority, will direct the Contractor to stop the discharge of non-project water from this source into the Friant-Kern or Madera Canal.

F. Baseline Water Quality Analysis

Every four months, Reclamation will collect samples of water from the Friant-Kern Canal near Friant Dam and near Lake Woolomes. These samples will be analyzed for Title 22 and many other constituents. The purpose of theses samples is to identify the baseline quality of water in the canal. No direct analysis within the Madera Canal will be conducted at this time.

The cost of this analysis will be borne by Reclamation under the CVP Baseline water quality monitoring program.

G. Water Quality Data Review and Management

All water quality data must be sent to Reclamation for review, verification, and approval. All water quality data will be entered into a database to be maintained by Reclamation. All field notes and laboratory water quality analytical reports will be kept by the Authority. All water quality data will be available upon request to the Contractor and other interested parties.

Definitions

CVP or Project water
Water that has been appropriated by the United States for the Friant Division of the CVP. The source of Project water in the Friant Division is the San Joaquin River watershed.

Non-project water
Water that has not been appropriated by the United States for the Friant Division of the CVP. This includes groundwater, and surface water from other streams and rivers that cross the Friant-Kern and Madera Canals, such as Wutchumna Ditch.

Maximum Contaminant Level
Usually reported in milligrams per liter (parts per million) or micrograms per liter (parts per billion).

Non-project discharge system
The pipe and pumps from which non-project water enters the Friant Division.

Title 22
The Domestic Water Quality and Monitoring Regulations specified by the State of California Health and Safety Code (Sections 4010-4037), and Administrative Code (Sections 64401 et seq.), as amended.

Type A water
This is non-project water that meets California drinking water standards. This water must be tested every year for the full list of Title 22 constituents. No in-stream monitoring is required to convey Type A water in the Friant Division.

Type B water
This is non-project water that has constituents that may exceed the California drinking water standards. This water must be tested every year for the full list of Title 22 constituents, plus annually for constituents of concern. Field monitoring is required of each source and of water upstream and downstream of the discharge point.

Type C water
This is non-project water from the same watershed as Project water that has not been appropriated by the United States for the Central Valley Project. Water from Soquel Creek diversion or the State Water Project are Type C water. No water quality analyses are required to convey this water in the Friant-Kern Canal.

Table 1. Water Quality Monitoring Requirements in the Friant Division
Table 2. Title 22 California Drinking Water Standards
Table 3. List of Labs Approved by Reclamation

Table 1. Water Quality Monitoring Requirements - Friant Division, Central Valley Project

Type of Water	Location	How often will a sample be collected?	What will be measured in the water?	Who will collect samples?
Project Water	Friant	January, April, June, October	Title 22 and bacterial constituents (1) (2)	Reclamation, MP-157
	Lake Woolomes	January, April, June, October	Title 22 and bacterial constituents (1) (2)	Reclamation, MP-157
Type A Non-Project Water		Every year	Title 22 and bacterial constituents (1) (2)	Contractor
Type B Non-Project Water		Every year	Title 22 and bacterial constituents (1) (2)	Contractor
		Every month (5)	Constituents of concern (5)	Contractor
		Every week (5)	EC, turbidity, etc.(3) (5)	Friant Water Authority
Type C Non-Project Water		None required		
Project water	Upstream of each Type B discharge (4)	Every week (5)	EC, turbidity, etc.(3) (5)	Friant Water Authority
	Downstream of each Type B discharge (4)	Every week (5)	EC, turbidity, etc.(3) (5)	Friant Water Authority

Notes:
(1) California Department of Health Services, California Code of Regulations, Title 22, Division 4, Chapter 15, Domestic Water Quality and Monitoring, *http://www.dhs.ca.gov/ps/ddwem/publications/Regulations/regulations_index.htm.*
(2) Cryptosporidium, Giardia, total coliform bacteria
(3) Field measurements.
(4) Location to be determined by the Contracting Officer
(5) To be determined by the Contracting Officer, if necessary.

This water quality monitoring program is subject to change at any time by the Contracting Officer.

Revised: 08/16/2007 SCC-107

U.S. Bureau of Reclamation
Friant Water Authority
Friant Division, California
Water Quality Monitoring Requirements

Table 2a. Water Quality Constituents

CONSTITUENT OR PARAMETER	Units	Recommended Method	California DHS Maximum Contaminant Level		CAS Registry Number
Primary Constituents (CCR § 64431)					
Aluminum	µg/L	EPA 200.7	1,000	1	7429-90-5
Antimony	µg/L	EPA 200.8	6	1	7440-36-0
Arsenic	µg/L	EPA 200.8	10	16	7440-38-2
Asbestos	MFL > 10µm	EPA 100.2	7	1	1332-21-4
Barium	µg/L	EPA 200.7	1,000	1	7440-39-3
Beryllium	µg/L	EPA 200.7	4	1	7440-41-7
Cadmium	µg/L	EPA 200.7	5	1	7440-43-9
Chromium	µg/L	EPA 200.7	50	1	7440-47-3
Cyanide	µg/L	EPA 335.4	150	1	57-12-5
Fluoride	mg/L	EPA 300.1	2	1	16984-48-8
Mercury (inorganic)	µg/L	EPA 245.1	2	1	7439-97-6
Nickel	µg/L	EPA 200.7	100	1	7440-02-0
Nitrate (as NO3)	mg/L	EPA 300.1	45	1	7727-37-9
Total Nitrate + Nitrite (as Nitrogen)	mg/L	EPA 353.2	10	1	
Nitrite (as Nitrogen)	mg/L	EPA 300.1	1	1	14797-65-0
Selenium	µg/L	EPA 200.8	50	1	7782-49-2
Thallium	µg/L	EPA 200.8	2	1	7440-28-0
Secondary Constituents (CCR § 64449)					
Aluminum	µg/L	EPA 200.7	200	6	7429-90-5
Chloride	mg/L	EPA 300.1	250/500/600	7	16887-00-6
Color	units	SM 2120 B	15	6	
Copper	µg/L	EPA 200.7	1,000	6	7440-50-8
Foaming agents (MBAS)	mg/L	SM 5540 C	0.5	6	
Iron	µg/L	EPA 200.7	300	6	7439-89-6
Manganese	µg/L	EPA 200.7	50	6	7439-96-5
Methyl-tert-butyl ether (MtBE)	µg/L	EPA 524.2	5	6	1634-04-4
Odor - Threshold	threshold units	SM 2150 B	3	6	
Silver	µg/L	EPA 200.7	100	6	7440-22-4
Specific conductance (EC)	µS/cm	SM 2510 B	900/1600/2200	7	
Sulfate	mg/L	EPA 300.1	250/500/600	7	14808-79-8
Thiobencarb	µg/L	EPA 525.2	1	6	28249-77-6
Total dissolved solids (TDS)	mg/L	SM 2540 C	500/1000/1500	7	
Turbidity	NTU	EPA 180.1	5	6	
Zinc	mg/L	EPA 200.7	5	6	7440-66-6

Table 2a. Water Quality Constituents

CONSTITUENT OR PARAMETER	Units	Recommended Method	California DHS Maximum Contaminant Level		CAS Registry Number
Other required analyses (CCR § 64449 (b)(2); CCR § 64670)					
Bicarbonate	mg/L	SM 2320B		8	
Calcium	mg/L	SM3111B		8,12	7440-70-2
Carbonate	mg/L	SM 2320B		8	
Copper	mg/L	EPA 200.7	1.3	14	7440-50-8
Hardness	mg/L	SM 2340 B		8	
Hydroxide alkalinity	mg/L	SM 2320B		8,12	
Lead	mg/L	EPA 200.8	0.015	14	7439-92-1
Magnesium	mg/L	EPA 200.7		8	7439-95-4
Orthophosphate	mg/L	EPA 365.1		12	
pH	units	EPA 150.1		8,12	
Silica	mg/L	EPA 200.7		12	
Sodium	mg/L	EPA 200.7		8	7440-23-5
Temperature	degrees C	SM 2550		12	
Radiochemistry (CCR § 64442)					
Radioactivity, Gross Alpha	pCi/L	SM 7110C	15	3	
Microbiology					
Cryptosporidium	org/liter		No MCL, measure for presence (surface water only)		
Fecal Coliform	MPN/100ml		No MCL, measure for presence (surface water only)		
Giardia	org/liter		No MCL, measure for presence (surface water only)		
Total Coliform bacteria	MPN/100ml		No MCL, measure for presence (surface water only)		
Organic Constituents (CCR § 64444)					
EPA 504.1 method					
Dibromochloropropane (DBCP)	µg/L	EPA 504.1	0.2	4	96-12-8
Ethylene dibromide (EDB)	µg/L	EPA 504.1	0.05	4	206-93-4
EPA 505					
Chlordane	µg/L	EPA 505	0.1	4	57-74-9
Endrin	µg/L	EPA 505	2	4	72-20-8
Heptachlor	µg/L	EPA 505	0.01	4	76-44-8
Heptachlor epoxide	µg/L	EPA 505	0.01	4	1024-57-3
Hexachlorobenzene	µg/L	EPA 505	1	4	118-74-1
Hexachlorocyclopentadiene	µg/L	EPA 505	50	4	77-47-4
Lindane (gamma-BHC)	µg/L	EPA 505	0.2	4	58-89-9
Methoxychlor	µg/L	EPA 505	30	4	72-43-5
Polychlorinated biphenyls	µg/L	EPA 505	0.5	4	1336-36-3
Toxaphene	µg/L	EPA 505	3	4	8001-35-2
EPA 508 Method					
Alachlor	µg/L	EPA 508.1	2	4	15972-60-8
Atrazine	µg/L	EPA 508.1	1	4	1912-24-9
Simazine	µg/L	EPA 508.1	4	4	122-34-9

Table 2a. Water Quality Constituents

CONSTITUENT OR PARAMETER	Units	Recommended Method	California DHS Maximum Contaminant Level		CAS Registry Number
EPA 515.3 Method					
Bentazon	µg/L	EPA 515	18	4	25057-89-0
2,4-D	µg/L	EPA 515.1-4	70	4	94-75-7
Dalapon	µg/L	EPA 515.1-4	200	4	75-99-0
Dinoseb	µg/L	EPA 515.1-4	7	4	88-85-7
Pentachlorophenol	µg/L	EPA 515.1-4	1	4	87-86-5
Picloram	µg/L	EPA 515.1-4	500	4	1918-02-1
2,4,5-TP (Silvex)	µg/L	EPA 515.1-4	50	4	93-72-1
EPA 524.2 Method (Volatile Organic Chemicals)					
Benzene	µg/L	EPA 524.2	1	4	71-43-2
Carbon tetrachloride	µg/L	EPA 524.2	0.5	4	56-23-5
1,2-Dibromomethane	µg/L	EPA 524.2	0.05		106-93-4
1,2-Dichlorobenzene	µg/L	EPA 524.2	600	4	95-50-1
1,4-Dichlorobenzene	µg/L	EPA 524.2	5	4	106-46-7
1,1-Dichloroethane	µg/L	EPA 524.2	5	4	75-34-3
1,2-Dichloroethane	µg/L	EPA 524.2	0.5	4	107-06-2
1,1-Dichloroethylene	µg/L	EPA 524.2	6	4	75-35-4
cis-1,2-Dichloroethylene	µg/L	EPA 524.2	6	4	156-59-2
trans-1,2-Dichloroethylene	µg/L	EPA 524.2	10	4	156-60-5
Dichloromethane	µg/L	EPA 524.2	5	4	75-09-2
1,2-Dichloropropane	µg/L	EPA 524.2	5	4	78-87-5
1,3-Dichloropropene	µg/L	EPA 524.2	0.5	4	542-75-6
Ethylbenzene	µg/L	EPA 524.2	300	4	100-41-4
Methyl-tert-butyl ether (MtBE)	µg/L	EPA 524.2	13	4	1634-04-4
Monochlorobenzene	µg/L	EPA 524.2	70	4	108-90-7
Styrene	µg/L	EPA 524.2	100	4	100-42-5
1,1,2,2-Tetrachloroethane	µg/L	EPA 524.2	1	4	79-34-5
Tetrachloroethylene (PCE)	µg/L	EPA 524.2	5	4	127-18-4
Toluene	µg/L	EPA 524.2	150	4	108-88-3
1,2,4-Trichlorobenzene	µg/L	EPA 524.2	5	4	120-82-1
1,1,1-Trichloroethane	µg/L	EPA 524.2	200	4	71-55-6
1,1,2-Trichloroethane	µg/L	EPA 524.2	5	4	79-00-5
Trichloroethylene (TCE)	µg/L	EPA 524.2	5	4	79-01-6
Trichlorofluoromethane	µg/L	EPA 524.2	150	4	75-69-4
1,1,2-Trichloro-1,2,2-trifluoroethane	µg/L	EPA 524.2	1,200	4	76-13-1
Total Trihalomethanes	ug/L	EPA 524.2	80	10	
Vinyl chloride	µg/L	EPA 524.2	0.5	4	75-01-4
Xylene(s)	µg/L	EPA 524.2	1,750	4	1330-20-7
EPA 525.2 Method					
Benzo(a)pyrene	µg/L	EPA 525.2	0.2	4	50-32-8
Di(2-ethylhexyl)adipate	µg/L	EPA 525.2	400	4	103-23-1
Di(2-ethylhexyl)phthalate	µg/L	EPA 525.2	4	4	117-81-7
Molinate	µg/L	EPA 525.2	20	4	2212-67-1
Thiobencarb	µg/L	EPA 525.2	70	4	28249-77-6
EPA 531.1 Method					
Carbofuran	µg/L	EPA 531.1-2	18	4	1563-66-2
Oxamyl	µg/L	EPA 531.1-2	50	4	23135-22-0

Table 2a. Water Quality Constituents

CONSTITUENT OR PARAMETER	Units	Recommended Method	California DHS Maximum Contaminant Level		CAS Registry Number
EPA 547 Method					
Glyphosate	µg/L	EPA 547	700	4	1071-83-6
EPA 548.1 Method					
Endothal	µg/L	EPA 548.1	100	4	145-73-3
EPA 549.2 Method					
Diquat	µg/L	EPA 549.2	20	4	85-00-7
EPA 613 Method					
2,3,7,8-TCDD (Dioxin)	µg/L	EPA 1613	0.00003	4	1746-01-6

Source Data:
Adapted from Marshack, Jon B. August 2003. A Compilation of Water Quality Goals. Prepared for the California Environmental Protection Agency, Regional Water Quality Control Board.

U.S. Bureau of Reclamation
Friant Water Authority
Friant Division, California
Water Quality Monitoring Requirements

Table 2b. Unregulated Chemicals (CCR § 64450)

CONSTITUENT OR PARAMETER	Units	Recommended Method	California Department of Health Services Notification Level		Response Level	CAS Registry Number
Boron	mg/L	EPA 200.7	1	9, 17	10	7440-42-8
n-Butylbenzene	µg/L	EPA 524.2	260	17	2,600	104-51-8
sec-Butylbenzene	µg/L	EPA 524.2	260	17	2,600	135-98-8
tert-Butylbenzene	µg/L	EPA 524.2	260	17	2,600	98-06-6
Carbon disulfide	µg/L		160	17	1,600	
Chlorate	µg/L	EPA 300.1	0.8	17	8	
2-Chlorotoluene	µg/L	EPA 524.2	140	17	1,400	95-49-8
4-Chlorotoluene	µg/L	EPA 524.2	140	17	1,400	106-43-4
Dichlorofluoromethane (Freon 12)	µg/L	EPA 524.2	1,000	9,17	10,000	75-43-4
1,4-Dioxane	µg/L	SM 8270	3	17	300	123-91-1
Ethylene glycol	µg/L	SM 8015	1,400	17	14,000	107-21-1
Formaldehyde	µg/L	SM 6252	100	17	1,000	50-00-0
n-Propylbenzene	µg/L		260	17	2,600	
HMX	µg/L	SM 8330	350	17	3,500	2691-41-0
Isopropylbenzene	µg/L		770	17	7,700	
Manganese	mg/L		1	17	5	
Methyl isobutyl ketone	µg/L		120	17	1,200	
Napthalene	µg/L	EPA 524.2	17	17	170	91-20-3
n-nitrosodiethylamine (NDEA)	µg/L	1625	0.01	17	0.1	
n-nitrosodimethylamine (NDMA)	µg/L	1625	0.01	17	0.2	
n-nitroso-n-propylamine (NDPA)	µg/L	1625	0.01	17	0.5	
Perchlorate	µg/L	EPA 314	6	9, 17	60	13477-36-6
Propachlor	µg/L	EPA 507 or 525	90	17	900	1918-16-7
p-Isopropyltoluene	µg/L	EPA 524.2	770	17	7,700	99-87-6
RDX	µg/L	SM 8330	0.30	17	30	121-82-4
tert-Butyl alcohol (ethanol)	µg/L	EPA 524.2	12	9,17	1,200	75-65-0
1,2,3-Trichloropropane (TCP)	ug/L	EPA 524.2	0.005	9,17	0.5	96-18-4
1,2,4-Trimethylbenzene	µg/L	EPA 524.2	330	17	3,300	95-63-6
1,3,5-Trimethylbenzene	µg/L	EPA 524.2	330	17	3,300	95-63-6
2,4,6-Trinitrotoluene (TNT)	µg/L	SM 8330	1	17	100	
Vanadium	mg/L	EPA 286.1	0.05	9,17	0.5	7440-62-2

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U.S. Bureau of Reclamation
Friant Water Authority
Friant Division, California
Water Quality Monitoring Requirements

Notes for Tables 2a and 2b

Title 22. California Code of Regulations, California Safe Drinking Water Act and Related Laws and Regulations. February 2007.
http://www.dhs.ca.gov/ps/ddwem/publications/lawbook/PDFs/dwregulations-02-06-07.pdf

[1] Table 64431-A. Maximum Contaminant Levels, Inorganic Chemicals
[2] Table 64432-A. Detection Limits for Purpose of Reporting (DLRs) for Regulated Inorganic Chemicals
[3] Table 644442. Radionuclide Maximum contaminant Levels (MCLs) and Detection Levels for Reporting (DLRs)
[4] Table 64444-A. Maximum Contaminant Levels Organic Chemicals
[5] Table 64445.1-A. Detection Limits for Reporting (DLRs) for Regulated Organic Chemicals
[6] Table 64449-A. Secondary Maximum Contaminant Levels "Consumer Acceptance Levels"
[7] Table 64449-B. Secondary Maximum Contaminant Levels "Consumer Acceptance Levels"
[8] § 64449(b)(2)
[9] Table 64450. Unregulated Chemicals
[10] Appendix 64481-A. Typical Origins of Contaminants with Primary MCLs
[11] Table 64533-A. Maximum Contaminant Levels and Detection Limits for Reporting Disinfection Byproducts
[12] § 64670.(c)
[13] Table 64678-A. DLRs for Lead and Copper
[14] § 64678 (d)
[15] § 64678 (e)
[16] New Federal standard as of 1/23/2006
[17] Dept Health Services Drinkig Water Notification Levels (June 2006)

RECLAMATION
Managing Water in the West

Table 3. Approved Laboratory List for the Mid-Pacific Region Environmental Monitoring Branch (MP-157)

Basic Laboratory	**Address**	2218 Railroad Avenue Redding, CA 96001 USA
	Contact	Nathan Hawley, Melissa Hawley, Ricky Jensen
	P/F	(530) 243-7234 / (530) 243-7494
	Email	nhawley@basiclab.com (QAO), mhawley@basiclab.com (PM), jcady@basiclab.com (quotes),
		poilar@basiclab.com (sample custody), khawley@basiclab.com (sample custody)
	CC Info	nhawley@basiclab.com, jcady@basiclab.com (sample custody)
	Methods	*Approved only for inorganic parameters (metals, general chemistry)*
BioVir Analytical Laboratories	**Address**	685 Stone Road Unit 6 Benicia, CA 94510 USA
	Contact	Rick Danielson, Lab Director
	P/F	(707) 747-5906 / (707) 747-1751
	Email	red@biovir.com, csj@biovir.com, lb@biovir.com, QAO Jim Truscott jrt@biovir.com
	Methods	*Approved for all biological and pathogenic parameters*
Block Environmental Services	**Address**	2451 Estand Way Pleasant Hill, CA 94523 USA
	Contact	David Block
	P/F	(925) 682-7200 / (925) 686-0399
	Email	dblock@blockenviron.com
	Methods	*Approved for Toxicity Testing.*
California Laboratory Services	**Address**	3249 Fitzgerald Road Rancho Cordova, CA 95742
	Contact	Raymond Oslowski
	P/F	(916) 638-7301 / (916) 638-4510
	Email	rayo@californialab.com
	Methods	*Approved for Chromium VI*
Caltest Analytical Laboratory	**Address**	1885 North Kelly Road Napa, CA 94558
	Contact	Bill Svoboda, Project Manager x29
	P/F	(707) 258-4000 / (707) 226-1001
	Email	bsvoboda@caltestlab.com
	Methods	*Approved for all inorganic parameters and bioligical parameters*
Columbia Environmental Resource Center	**Address**	4200 New Haven Road Columbia, MO 65201 USA
	Contact	Tom May, Research Chemist
	P/F	(573) 876-1858 / (573) 876-1896
	Email	tmay@usgs.gov
	Methods	*Approved for mercury in biological tissue*
Data Chem Laboratories	**Address**	960 West LeVoy Drive Salt Lake City, UT 84123-2547 USA
	Contact	Bob DiRienzo, Kevin Griffiths-Project Manager, Rand Potter - Project Manager, asbestos
	P/F	(801) 266-7700 / (801) 268-9992
	Email	griffiths@datachem.com, Potter@datachem.com Invoicing: (Justin) pate@datachem.com
	Methods	*Approved for asbestos, metals, organochlorine pesticides and PCBs in solids*
Dept. of Fish & Game - WPCL	**Address**	2005 Nimbus Road Rancho Cordova, CA 95670 USA
	Contact	David B. Crane
	P/F	(916) 358-2858 / (916) 985-4301
	Email	dcrane@ospr.dfg.ca.gov
	Methods	*Approved only for metals analysis in tissue.*
Frontier Geosciences	**Address**	414 Pontius North Seattle, WA 98109 USA
	Contact	Shelly Fank - QA Officer, Matt Gomes-Project Manager
	P/F	(206) 622-6960 / (206) 622-6870
	Email	shellyf@frontiergeosciences.com, mattg@frontiergeosciences.com
	Methods	*in low level metals analysis.*

Fruit Growers Laboratory	**Address**	853 Corporation Street Santa Paula, CA 93060 USA
	Contact	David Terz, QA Director
	P/F	(805) 392-2024 / (805) 525-4172
	Email	davidt@fglinc.com
	Methods	*Approved for all inorganic and organic parameters in drinking water.*
Montgomery Watson/Harza Laboratories	**Address**	750 Royal Oaks Drive Ste. 100 Monrovia, CA 91016 USA
	Contact	Allen Glover (project manager), Bradley Cahoon (quotes)
	P/F	(916) 374-8030, 916-996-5929 (AG-cell) / (916) 374-8061
	Email	Allen.Glover@us.mwhglobal.com, Bradley.Cahoon@us.mwhglobal.com
	CC Info	cc. Sam on all communications to Allen. Samer.Momani@us.mwhglobal.com
	Methods	*Approved for all inorganic and organic parameters in drinking water*
Olson Biochemistry Laboratories	**Address**	SDSU: Box 2170, ACS Rm. 133 Brookings, SD 57007 USA
	Contact	Nancy Thiex, Laboratory Director
	P/F	(605) 688-5466 / (605) 688-6295
	Email	Nancy.Thiex@sdstate.edu
	CC Info	For re-analysis: contact Zelda McGinnis-Schlobohm and Nancy Anderson
		Zelda.Schobohm@SDSTATE.EDU, Nancy.Anderson@SDSTATE.EDU
		For analysis questions only: just CC. Nancy Anderson
	Methods	*Approved only for low level selenium analysis.*
Severn Trent Laboratories	**Address**	880 Riverside Parkway West Sacramento, CA 95605 USA
	Contact	Jeremy Sadler
	P/F	(916) 374-4381 / (916) 372-1059
	Email	jsadler@stl-inc.com
	Methods	*Approved for all inorganic parameters and hazardous waste organics* ***except for Ammonia as Nitrogen*** *.* *Ag analysis in sediment, when known quantity is present, request 6010B*
Sierra Foothill Laboratory, Inc.	**Address**	255 Scottsville Blvd, Jackson, CA 95642
	Contact	Sandy Nurse (Owner) or Dale Gimble (QA Officer)
	P/F	(209) 223-2800 / (209) 223-2747
	Email	sandy@sierralab.com, CC: dale@sierralab.com
	Methods	*Approved for all inorganic parameters, microbiological parameters, acute and chronic toxicity.*
Twining Laboratories, Inc.	**Address**	2527 Fresno Street Fresno, CA 93721 USA
	Contact	Jim Brownfield (QA Officer), Sample Control (for Bottle Orders)
	P/F	(559) 268-7021 / (559) 268-0740
	Email	JimB@twining.com cc. to JosephU@twining.com
	Methods	*Approved only for general chemistry and boron analysis.*
U.S. Geological Survey - Denver	**Address**	Denver Federal Center Building 20, MS 973 Denver, CO 80225 USA
	Contact	Stephen A. Wilson
	P/F	(303) 236-2454 / (303) 236-3200
	Email	swilson@usgs.gov
	Methods	*Approved only for inorganic parameters in soil .*
USBR Technical Service Center Denver Soils	**Address**	Denver Federal Center Building 67, D-8750 Denver, CO 80225-0007 USA
	Contact	Juli Fahy or Stan Conway
	P/F	(303) 445-2188 / (303) 445-6351
	Email	jfahy@do.usbr.gov
	Methods	*Approved only for general physical analysis in soils.*
Western Environmental Testing Laboratories	**Address**	475 East Greg Street # 119 Sparks, NV 89431 USA
	Contact	Ginger Peppard (Customer Service Manager), Andy Smith (Lab Director), Michelle Kramer
	P/F	(775) 355-0202 / (775) 355-0817
	Email	ginger@WETLaboratory.com, andy@WETLaboratory.com, michelle@WETLaboratory.com
	Methods	*Approved only for inorganic parameters (metals, general chemistry).*

Revised: 04/16/2007 MP-157

FINAL SUPPLEMENTAL ENVIRONMENTAL ASSESSMENT

3-MONTH EXTENSTION OF THE 2010 WARREN ACT CONTRACT AND LICENSE FOR DELTA LANDS RECLAMATION DISTRICT NO. 770
Supplementing EA-09-177

Appendix C
Executed 2010 License

June 2011

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF RECLAMATION

Friant-Kern Canal, Central Valley Project

SHORT-TERM LICENSE FOR THE ERECTION, MAINTENANCE, OPERATION AND STORAGE OF TEMPORARY STRUCTURES

THIS LICENSE is given this 1st day of July, 2010, in pursuance of the Act of June 7, 1902 (32 Stat. 388) and Acts amendatory thereof or supplementary thereto, by THE UNITED STATES OF AMERICA, acting by and through its Bureau of Reclamation, Department of the Interior, represented by the duly authorized officer executing this License, hereinafter styled the "United States" to:

Delta Lands Reclamation District No. 770
Post Office Box 877
Corcoran, California 93212
(559) 992-5011

hereinafter styled the "Licensee."

RECITALS:

The United States, through the Bureau of Reclamation (Reclamation), acquired certain lands for the right-of-way of the Friant-Kern Canal (FKC) in connection with the Central Valley Project, Fresno and Tulare Counties, California; and

The Friant Water Authority (FWA) is responsible for the operation and maintenance of the FKC; and

The Licensee has had prior authorization for existing temporary pumps and appurtenances for the flood protection of lands (Contract No. 10-WC-20-4063) within its boundaries from floods during periods of high flows (Flood Water) on the Kings, Kaweah, and/or Tule Rivers for the purposes of human safety and/or property damage protection.

Reclamation has determined the requested use, the erection, maintenance, operation, and storage of structures and pumping equipment on the Friant-Kern Canal right-of-way, is not, at this time, incompatible with the purpose for which the land was obtained.

IT IS AGREED:

1. Reclamation does, through the duly authorized officer executing this License, hereby consent to Licensee's request to enter onto lands acquired by the United States for the purpose of the erection, maintenance, operation, and storage of structures and in-place pumping equipment, subject to the terms and conditions herein written, described as:

Fresno County:

Six (6) temporary discharge pipes at the downstream end of the Friant-Kern Canal (FKC) siphon under the Kings River, on the FKC right-of-way:

at the Kings River, Milepost 29.10 (Station 1627+80.00), in Section 35, Township 13 South, Range 23 East, M.D.B.&M., Fresno County, California, as shown on the attached map labeled Exhibit "A," herein incorporated by this reference; and

Tulare County:

Eight (8) water pumps and discharge pipes on the right bank adjacent to the St. Johns River Wasteway, and four (4) water pumps and discharge pipes on the left bank at the downstream end of the Friant-Kern Canal (FKC) siphon under the St. Johns River, on the FKC right-of-way:

at the St. Johns River, Milepost 69.45 (Station 3767+40.00), in Section 1, Township 18 South, Range 26 East, M.D.B.&M., Tulare County, California, as shown on the attached map labeled "Exhibit B," herein incorporated by this reference. The Licensee will not be utilizing the four (4) discharge pumps located at Milepost 69.58 under the terms and conditions of this short-term License, but will be required to maintain those facilities until such time they are utilized in a future long-term License. The Licensee may be required to ensure completion of environmental documentation in a future License relative to the four (4) discharge pumps via Milepost 69.58; and

Seven (7) water pumps and discharge pipes adjacent to the Tule River Wasteway on the FKC right-of-way:

at the Tule River, Milepost 95.67 (Station 5163+11.93), in Sections 29 and 30, Township 21 South, Range 27 East, M.D.B.&M., Tulare County, California, as shown on the attached map labeled Exhibit "C," herein incorporated by this reference.

2. This License is personal, revocable, and nontransferable and will become effective on the date hereinabove written and, unless otherwise sooner terminated, will continue until **May 31, 2011**. Upon termination by either party, the aforesaid structure or structures and all accessories will be removed without delay at the expense of the Licensee. The Licensee will leave the site(s) in a condition satisfactory to Reclamation and FWA.

3. Installation, operation, maintenance, and removal of the structure(s) shall be conducted in a neat, workmanlike manner in accordance with all applicable Federal, State of California, and local safety and environmental regulations and to the satisfaction of the General Manager, FWA, and the Area Manager, South-Central California Area Office, Bureau of Reclamation. Activities shall be coordinated in advance with Reclamation (contact Operations Division at (559) 487-5257) and FWA (contact Mr. Eric Quinley, Maintenance Manager, or other designated representative at (559) 562-6305).

4. Licensee shall maintain all pumping stations, framing, decking and appurtenant equipment and materials in good condition. Failure to correct deficiencies after being advised of them may lead to License revocation. Any maintenance activities on Reclamation lands in addition to those allowed herein shall require notification and an authorized permit from Reclamation or FWA.

5. Should silt accumulate in the FKC or channels as a result of the flood water diversion activities as referenced herein, the Licensee shall remove silt accumulation as directed by Reclamation and FWA or reimburse Reclamation or FWA for costs associated with its removal. Licensee shall, to the satisfaction of Reclamation and FWA, take steps to screen debris from water prior to pumping.

6. In the erection of the aforesaid structure or structures, the Licensee must comply with the following specifications and conditions:

(a) The Licensee will furnish and install a corporation stop on each discharge pipe for use in making pitot tube measurements. The corporation stop will be installed in a straight, level section of pipe. Straightening vanes will be installed ahead of the corporation stop on each discharge pipe. There shall be a minimum of ten (10) pipe diameters of straight, unobstructed pipe ahead of the corporation stop.

(b) Flow meters will be installed on each pump discharge pipe. The flow meters will be sufficient to accurately indicate instantaneous flow rates in cubic feet per second and cumulative discharge in acre-feet.

(c) Safety fencing shall be provided along FKC where the pump discharge pipes enter the FKC.

(d) Provide chain link safety fence around discharge pipes at the canal prism to deter unsafe access to the FKC. A gate shall be installed to accommodate access to the pipe discharge area.

(e) Provide fencing and/or skirts to prevent trespassers from gaining access to the area underneath the platforms.

(f) Repair any damage to Reclamation operating road. Areas shall be repaired by excavating to nine inches (9") below grade, backfilling with six inches (6") Class 2 aggregate base, compacting aggregate base, then placing three inches (3") of Type B AC to match existing AC grade.

(g) The Licensee and its contractors shall comply with requirements of the latest edition (currently the 2009 edition) of the **Reclamation Safety and Health Standards** handbook while conducting any activity on Reclamation land or facilities. A copy can be downloaded from Reclamation's public web site, http://www.usbr.gov/ssle/safety/RSHS/rshs.html.

7. This License is subject to the Temporary Contract Between the United States and Delta Lands Reclamation District No. 770 for the Conveyance of Non-Project Water (Contract No. 10-WC-20-4063). **Licensee's flood water diversion activities shall be subject to said Contract with the United States and Agreement with the Friant Water Authority.**

8. This License is subject to the Agreement to Transfer the Operation, Maintenance and Replacement and Certain Financial and Administrative Activities Related to the Friant-Kern Canal and Associated Works, Contract No. 8-07-20-X0356, dated March 1, 1998 (as amended), referenced herein and made a part hereof.

9. Licensee shall comply with Fresno and Tulare County Noise Ordinance regulations and provide Reclamation and FWA with the findings initiated from these criteria. Licensee shall respond to any complaints from adjoining landowners and/or their attorneys regarding noise and take appropriate actions or cease pumping operations.

10. Licensee will coordinate with Reclamation and FWA for the implementation of Reclamation's Emergency Contingency Plan for FKC as well as coordination with the California State Office of Emergency Services' "Incidence Command System" (ICS) during times of declared flood emergency.

11. Licensee agrees to reimburse Reclamation and/or FWA for costs associated with additional maintenance requirements, related to increased water flow and/or sediment load in the increased water flow in the FKC caused by the Licensee's flood water diversion activities authorized pursuant to Contract No. 10-WC-20-4063.

12. This permission given herein will neither constitute nor be construed as any surrender of the jurisdiction and supervision by the United States over the lands described herein.

13. The Licensee hereby agrees to indemnify and hold harmless the United States, FWA, their employees, agents, and assigns from any loss of damage and from any liability on account of personal injury, property damage, or claims from personal injury or death arising out of the Licensee's activities under this License.

14. Reclamation has waived the value of the right-of-use fee in accordance with 43 CFR 429.26.

15. This License is granted subject to the existing rights in favor of the public or third parties for highways, roads, railroads, telegraph, telephone and electrical transmission lines, canals, laterals, ditches, flumes, siphons, and pipelines on, over, and across said land.

16. This License may be revoked by Reclamation upon thirty (30) days written notice to the Licensee if:

(a) The Licensee's use of the land interferes with existing or proposed facilities, or

(b) The land contained in the License is needed for any United States purpose, or

(c) The United States disposed of its interest in the land contained in this License, or

(d) The Licensee fails to comply with any other terms or conditions of this License and, upon notification of the violation, Licensee fails to adequately cure the violation in a timely manner. Reclamation will have the final determination regarding the adequacy of the cure.

(e) The Licensee fails to comply with any terms or conditions of the agreement entered into with FWA.

17. The Licensee will not:

(a) Store any hazardous material on the FKC right-of-way.

(b) Use water from the FKC for activities related to the subject project.

(c) Leave waste and debris on the FKC right-of-way.

18. The Licensee will comply with all applicable water, ground, and air pollution laws and regulations of the United States, the State of California and local authorities. In addition, the Licensee will comply with the following hazardous materials restrictions:

(a) The Licensee may not allow contamination or pollution of Federal lands, waters or facilities and for which the Licensee has the responsibility for care, operation, and maintenance by its employees or agents and shall take reasonable precautions to prevent such contamination or pollution by third parties. Substances causing contamination or pollution shall include but are not limited to hazardous materials, thermal pollution, refuse, garbage, sewage effluent, industrial waste, petroleum products, mine tailings, mineral salts, misused pesticides, pesticide containers, or any other pollutants.

(b) The Licensee shall comply with all applicable Federal, State, and local laws and regulations, and Reclamation policies and directives and standards, existing or hereafter enacted or promulgated, concerning any hazardous material that will be used, produced, transported, stored, or disposed of on or in Federal lands, waters or facilities.

(c) "Hazardous material" means any substance, pollutant, or contaminant listed as hazardous under the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended, 42 U.S.C. § 9601, et seq., and the regulations promulgated pursuant to that Act.

(d) Upon discovery of any event which may or does result in contamination or pollution of Federal lands, waters or facilities, the Licensee shall initiate any necessary emergency measures to protect health, safety and the environment and shall report such discovery and full details of the actions taken to the Contracting Officer. Reporting may be within a reasonable time period. A reasonable time period means within twenty-four (24) hours of the time of discovery if it is an emergency or by the first working day if it is a non-emergency. An emergency is any situation that requires immediate action to reduce or avoid endangering public health and safety or the environment.

(e) Violation of any of the provisions of this Article, as determined by the Contracting Officer, may constitute grounds for termination of this contract. Such violations require immediate corrective action by the Licensee and shall make the Licensee liable for the cost of full and complete remediation and/or restoration of any Federal resources or facilities that are adversely affected as a result of the violation.

(f) The Licensee agrees to include the provisions contained in paragraphs (a) through (e) of this Article in any subcontract or third-party contract it may enter into pursuant to this contract.

(g) Reclamation agrees to provide information necessary for the Licensee, using reasonable diligence, to comply with the provisions of this Article.

19. PESTICIDE USE. The Licensee shall not permit the use of any pesticides on Federal lands without prior written approval by Reclamation.

(a) The Licensee shall submit to Reclamation for approval an Integrated Pest Management Plan (IPMP) thirty (30) days in advance of pesticide application.

(b) All pesticides used shall be in accordance with the current registration, label directions, or other directives regulating their use (State Department of Agriculture, Department of Ecology, OSHA, etc.) and with applicable Reclamation policy and directives and standards. Applicators will meet applicable State training or licensing requirements. Records maintenance shall be in accordance with State requirements and such records shall be furnished to Reclamation not later than five (5) working days after any application of a pesticide.

(c) Any equipment, tools, and machines used for pesticide application shall be in good repair and suitable for such use. Equipment shall be calibrated prior to the spraying season and as deemed necessary by Reclamation.

(d) Mixing, disposal, and cleaning shall be done where pesticide residues cannot enter storm drains, sewers, or other non-target areas.

(e) The Licensee shall initiate any necessary measures for containment and clean up of pesticide spills. Spills shall be reported to the Contracting Officer with full details of the actions taken. Reporting may be within a reasonable time period. A reasonable time period means within twenty-four (24) hours of the spill if it is an emergency or by the first working day if it is a non-emergency. An emergency is any situation that requires immediate action to reduce or avoid endangering public health and safety or the environment.

(f) Aerial application of pesticides is prohibited without prior written consent by Reclamation's designated representative.

(g) The Licensee agrees to include the provisions contained in paragraphs (a) through (f) of this Article in any subcontract or third-party contract it may enter into pursuant to this contract.

20. CULTURAL RESOURCES PROTECTION. The Licensee shall immediately provide an oral notification to Reclamation's authorized official of the discovery of any and all antiquities or other objects of cultural, historic, or scientific interest on Reclamation lands. The Licensee shall forward a written report of its findings to Reclamation's authorized official within forty-eight (48) hours. Objects under consideration include, but are not limited to, historic or prehistoric ruins, human remains, or artifacts discovered as the result of activities under this easement. The Licensee shall cease activity, stabilize, and protect such discoveries until authorized to proceed by Reclamation's authorized official. Protective and mitigative measures specified by Reclamation's authorized official shall be the responsibility of the Licensee.

21. DISCOVERY OF HUMAN REMAINS. The Licensee shall immediately provide an oral notification to Reclamation's authorized official of the discovery of human remains on Reclamation land. The Licensee shall forward a written report of its findings to Reclamation's authorized official within forty-eight (48) hours by certified mail. The Licensee shall cease activity, stabilize, and protect such discoveries until authorized to proceed by the Regional Archaeologist for Reclamation (916-978-5041). Protective and mitigative measures specified by the Regional Archaeologist shall be the responsibility of the Licensee.

22. Any activity deemed to be illegal on Federal lands will be cause for immediate termination of the use authorization.

23. TERMINATION. This License will terminate and all rights of the Licensee hereunder will cease, and the Licensee will quietly deliver to the United States possession of the premises in like condition as when taken, reasonable wear and damage by the elements excepted:

(a) At the expiration of the term as provided by Article 2; or,

(b) On date, of any year, upon written notice to the Licensee, served thirty (30) days in advance thereof; or,

(c) After failure of the Licensee to observe any of the conditions of this License and on the tenth (10th) day following service of written notice on the Licensee of termination because of failure to observe such conditions.

The notices provided by this Article will be served by certified mail addressed to the respective post office addresses given in Article 33 and the mailing of any such notice properly enclosed, addressed, stamped, and certified, will be considered service.

(d) If this License is terminated under Article (c) above, the United States reserves the right to bar the Licensee from the authorization to use acquired or withdrawn public land on the Central Valley Project for a period of time, as determined by the Area Manager.

24. SEVERABILITY. Each provision of this use authorization shall be interpreted in such a manner as to be valid under applicable law, but if any provision of this use authorization shall be deemed or determined by competent authority to be invalid or prohibited hereunder, such provision shall be ineffective and void only to the extent of such invalidity or prohibition, but shall not be deemed ineffective or invalid as to the remainder of such provision or any other remaining provisions, or of the use authorization as a whole.

25. All work will be conducted by Licensee or Licensee's contractor, while allowing for the observation of onsite activities by FWA. Reclamation reserves the right for their officers, employees, contractors and representatives, and assigns, to have ingress to and egress from said premises for the purpose of exercising, enforcing, and protecting the rights of Reclamation in and on the premises. The Licensee will provide Reclamation and FWA personnel safe ingress and egress to the FWA. The Licensee will ensure access for Reclamation and FWA operation and maintenance needs during the times of construction and coordinate any closings of access with Reclamation's existing authorized users.

26. The Licensee must contact the Underground Service Alert (Telephone (800) 227-2600) at least two (2) working days prior to any excavation work to identify any buried utilities within the proposed excavation area.

27. Access to the FKC by the Licensee and their contractor(s) is restricted to the immediate vicinity of that portion of the FKC described in Article 1, above.

28. The Licensee and/or its contractor for the duration of contractors' activities will maintain in force, policies of liability insurance, providing limits of not less the $1,000,000 for each person/occurrence and $2,000,000 aggregate for bodily injury or death, and not less than $1,000,000 property damage. Said policies will name United States and FWA as additional insureds (with the ISO CG 2010 endorsement form or equivalent) and will provide that they will not be canceled or reduced in coverage without ten (10) days prior written notice to Reclamation. Prior to commencement of said construction, Licensee will cause to be delivered to Reclamation and FWA a copy of the certificate of insurance reflecting all essential coverage. The endorsement will reference the contract number of this License in the description portion of the endorsement form.

29. Damage to Reclamation property, including but not limited to the FKC, service roads, access roads, culvert crossings, siphon barrel, farm bridges, fence gates and posts resulting from the Licensee's activities under this License will be corrected promptly at Licensee's expense to the satisfaction of Reclamation and FWA.

30. OFFICIALS NOT TO BENEFIT. No Member of Congress shall be admitted to any share or part of this easement or to any benefit that may arise herefrom, but this restriction shall not be construed to extend to this easement if made with a corporation or company for its general benefit.

31. The Licensee warrants that no person or agency has been employed or retained to solicit or secure this License upon an agreement or understanding for a commission, percentage, brokerage, or contingent fee except bona fide employees and bona fide commercial agencies maintained by the Licensee for the purpose of securing business. For breach or violation of this warranty, Reclamation will have the right to revoke this License without liability or in its discretion to require the Licensee to pay the full amount of such commission, percentage, brokerage, or contingency fee to the United States.

32. NOTICES.

(a) Any notice, demand, or request required or authorized by this License to be given or made to or upon the United States shall be deemed properly given or made if delivered or mailed postage-prepaid, to the Area Manager, South Central California , Bureau of Reclamation, 1243 N Street, Fresno California 93721-1813.

(b) Any notice, demand, or request required or authorized by this License to be given or made to or upon Delta Lands Reclamation District No. 770 shall be deemed properly given or made if delivered or mailed postage-prepaid, to Delta Lands Reclamation District No. 770, General Manager, Post Office Box 877, Corcoran, California 93212.

(c) The designation of the person to or upon whom any notice, demand, or request is to be given or made, or the address of such person may be changed at any time by notice given in the same manner as provided in this Article for other notices.

IN WITNESS WHEREOF this License is given as of the date of execution written above.

UNITED STATES OF AMERICA

Laura Myers

Deputy Area Manager
South-Central California Area Office
Bureau of Reclamation

ACCEPTED:

Delta Lands Reclamation District No. 770 and its authorized representative, by signature below, agree to the terms and conditions above.

DELTA LANDS RECLAMATION DISTRICT NO. 770

By

Title TRUSTEE

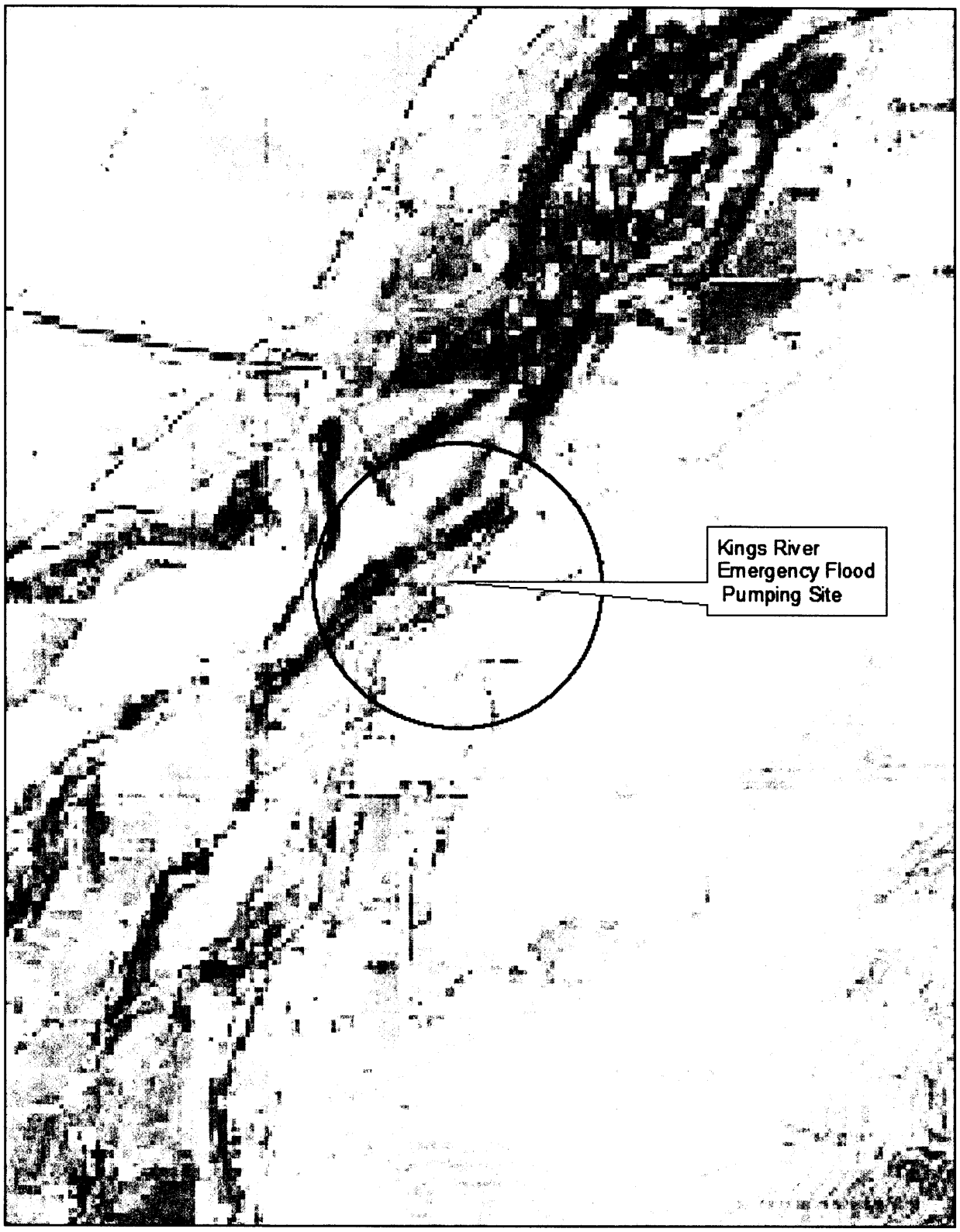
5-25-10
Date

NOTED:

Friant Water Authority

5/13/10
Date

Exhibit "A"

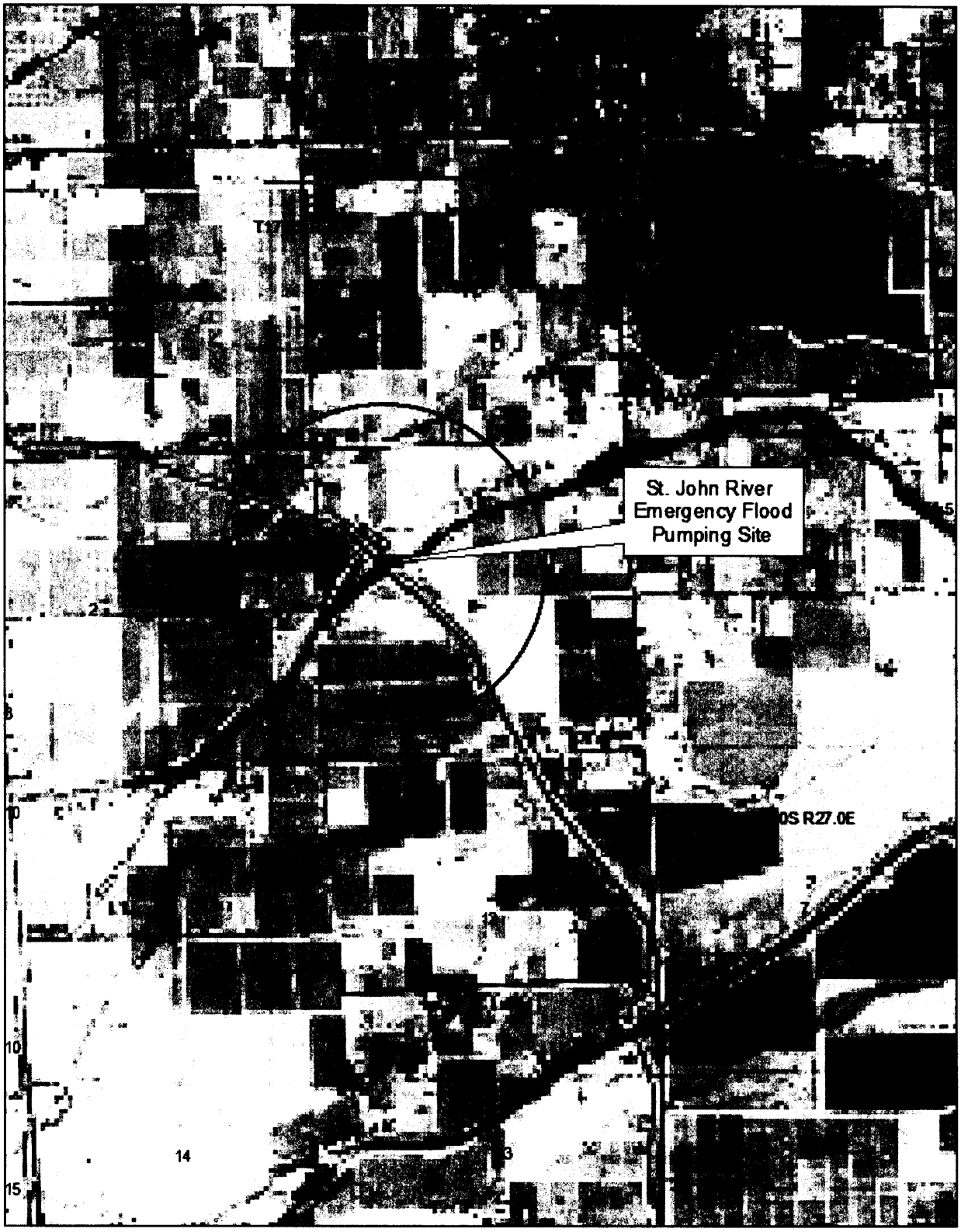


Section 35,
Township 13S,
Range 23E, MDB&M

N

Delta Lands Reclamation District 770
Maintenance & Operations of
Pumping and Storage Facilities
For Flood Purposes Only

Exhibit "B"



Section 1,
Township 18S,
Range 26E
MDB&M
Tulare County,
California

N

Delta Lands Reclamation District 770
Maintenance & Operations of
Pumping and Storage Facilities
For Flood Purposes Only

Exhibit "C"

Sections 29 & 30,
Township 21S,
Range 27E
MDB&M
Tulare County, California

N

Delta Lands Reclamation District 770
Maintenance & Operations of
Pumping and Storage Facilities
For Flood Purposes Only

FINAL SUPPLEMENTAL ENVIRONMENTAL ASSESSMENT

3-MONTH EXTENSTION OF THE 2010 WARREN ACT CONTRACT AND LICENSE FOR DELTA LANDS RECLAMATION DISTRICT NO. 770
Supplementing EA-09-177

Appendix D
Environmental Determinations (Cultural Resources and ITA)

June 2011

Healer, Rain L

From: Bruce, Brandee E
Sent: Thursday, April 14, 2011 9:46 AM
To: Healer, Rain L; Barnes, Amy J; Goodsell, Joanne E; Nickels, Adam M; Overly, Stephen A; Perry, Laureen (Laurie) M; Williams, Scott A
Subject: RE: 3-month Extension to RD770 2010 Warren Act contract and license

Tracking No 11-SCAO-126

Project: Supplemental EA 11-025 3 month extension of 2010 Warren Act Contract and License for RD770 (supplements EA 09-177)

Rain,

The activities associated with Reclamation executing a 3 month extension of an existing Warren Act contract and issuing a license to Reclamation District 770 (RD770) to convey non-CVP water in Reclamation facilities and use pumping facilities on Reclamation land will have no potential to affect historic properties. This Supplemental EA (SEA) is intended to extend an existing Warren Act contract (covered under EA 09-177) that is due to expire on May 31, 2011, while a 25-year Warren Act contract and license is reviewed and completed (EA 07-103).

As the proposed action has no potential to affect historic properties pursuant to 36 CFR Part 800.3(a)(1), no additional consideration under Section 106 of the National Historic Preservation Act is required.

Thank you for the opportunity to review the proposed action. Please place a copy of this concurrence with the EA administrative record.

Affected Environment

The Central Valley Project, one of the Nation`s major water conservation developments, extends from the Cascade Range in the north to the semi-arid but fertile plains along the Kern River in the south. The Friant-Kern Canal (FKC) is part of Reclamation's Friant Division of the Central Valley Project (CVP). Friant Dam is located on the San Joaquin River, 25 miles northeast of Fresno, California. Completed in 1942, the dam is a concrete gravity structure, 319 feet high, with a crest length of 3,488 feet. Construction of the Friant Kern Canal (FKC) from Friant Dam began in 1945 and was completed in 1951. The FKC carries water over 151.8 miles in a southerly direction from Millerton Lake to the Kern River, four miles west of Bakersfield. The water is used for supplemental and new irrigation supplies in Fresno, Tulare, and Kern Counties.

Reclamation is in the process of nominating the CVP to the National Register of Historic Places (NRHP). As part of the CVP, the FKC has been found eligible for inclusion in the NRHP under Criterion A for its association with irrigation and agricultural development of California.

Environmental Consequences

No Action

Under the No Action Alternative, there are no impacts to cultural resources since there would be no change in operations and no ground disturbance. Conditions related to cultural resources would remain the same as existing conditions.

Proposed Action

The proposed action is the type of activity that has no potential to affect historic properties pursuant to the regulations at 36 CFR Part 800.3(a)(1). There will be no modification of water conveyance facilities and no activities that will result in

ground disturbance. Because there is no potential to affect historic properties, no cultural resources will be impacted as a result of implementing proposed action.

Thanks,
BranDee

From: Healer, Rain L
Sent: Thursday, April 14, 2011 8:05 AM
To: Barnes, Amy J; Bruce, Brandee E; Goodsell, Joanne E; Nickels, Adam M; Overly, Stephen A; Perry, Laureen (Laurie) M; Williams, Scott A
Subject: 3-month Extension to RD770 2010 Warren Act contract and license

Good morning,

I have prepared a supplemental EA for a 3-month extension of the 2010 Warren Act contract and license to Delta Lands Reclamation District No. 770 (RD770) which was previously logged in as 10-SCAO-208 (EA-09-177) and reviewed by Amy Barnes. We are currently working on a 25-year Warren Act contract and license (EA-07-103) which was also reviewed by Amy and logged in as 11-SCAO-111. The long-term is expected to be completed this summer, but because the 2010 action expires May 31, 2011, we are extending it in case pumping needs to occur after May but before the long-term action is executed. I have attached the draft supplemental EA. The final EA and FONSI for the 2010 EA is located on our website: http://www.usbr.gov/mp/nepa/nepa_projdetails.cfm?Project_ID=5596

Cost authority: A1R-1752-9652-220-00-3-3

Rain L. Healer
Natural Resources Specialist
United States Department of the Interior
Bureau of Reclamation
1243 N Street, SCC 413
Fresno, CA 93721
(559) 487-5196
rhealer@usbr.gov

Healer, Rain L

From: Rivera, Patricia L
Sent: Friday, April 15, 2011 10:25 AM
To: Healer, Rain L
Subject: RE: SEA-11-025 RD770 3-month extension

Rain,

I reviewed the proposed action wherein the Bureau of Reclamation (Reclamation) and Delta Lands Reclamation District Number 770 (RD770) are pursuing negotiations for a 25-year Warren Act contract for conveyance of Non-Central Valley Project (CVP) floodwater within the Friant-Kern Canal (FKC) and a license for RD770 pump stations located within Reclamation rights-of-way (ROW).

Since the finalization and approval of the 25-year Warren Act contract and license was not expected to be completed and executed until after June 1, 2011 a 12-month license and a temporary Warren Act contract were prepared in case damaging floodwater threatened RD770 during development of the long-term actions. Consequently, an Environmental Assessment, (EA), *EA-09-177 2010 Warren Act Contract and License for Delta Lands Reclamation District 770*, was prepared by Reclamation which analyzed the execution of a 12-month license and temporary Warren Act contract for the time period June 1, 2010 through May 31, 2011. A Finding of No Significant Impact (FONSI) was signed on July 30, 2010. The environmental documentation, is expected to be completed near the expiration of the existing short-term contract and license. A 3-month extension of the existing short-term Warren Act contract and license is needed in case damaging floodwater threatens RD770 while the long-term actions are completed.

Reclamation proposed to approve the 3-month extension of the 2010 Warren Act contract and license which would allow RD770 to introduce damaging floodwater from the Kings, St. John's and Tule Rivers into the FKC at milepost (MP) 29.10 for the Kings River, MP 69.45 for the St. John's River, and MP 95.67 for the Tule River between June 1, 2011 and August 31, 2011. The proposed 3-month license would permit the existing infrastructure to remain in place as well as allow RD770 to install pumps at the three MPs. After conveyance in the FKC, the Non-CVP floodwater may be diverted, on behalf of RD770, by Friant Division contractors up to the amount they can put to beneficial use and/or discharged into the Kern River. Coordination with the Kern River watermaster would occur to ensure the acceptance of this water into the Kern River prior to the introduction of the Non-CVP floodwater to the FKC. Subsequent actions beyond the discharges to the Kern River or the diversions by Friant contractors are not within Reclamation's approval authority.

The long-term Warren Act contract and license, and associated environmental documentation, is expected to be completed near the expiration of the existing short-term contract and license. A 3-month extension of the existing short-term Warren Act contract and license is needed in case damaging floodwater threatens RD770 while the long-term actions are completed.

Reclamation proposed to approve the 3-month extension of the 2010 Warren Act contract and license which would allow RD770 to introduce damaging floodwater from the Kings, St. John's and Tule Rivers into the FKC at milepost (MP) 29.10 for the Kings River, MP 69.45 for the St. John's River, and MP 95.67 for the Tule River between June 1, 2011 and August 31, 2011. The proposed 3-month license would permit the existing infrastructure to remain in place as well as allow RD770 to install pumps at the three MPs. After conveyance in the FKC, the Non-CVP floodwater may be diverted, on behalf of RD770, by Friant Division contractors up to the amount they can put to beneficial use and/or discharged into the Kern River. Coordination with the Kern River watermaster would occur to ensure the acceptance of this water into the Kern River prior to the

introduction of the Non-CVP floodwater to the FKC. Subsequent actions beyond the discharges to the Kern River or the diversions by Friant contractors are not within Reclamation's approval authority.

The proposed action does not have a potential to affect Indian Trust Assets. The nearest ITA is Santa Rosa Rancheria approximately 13 miles North of the project location.

Patricia

FINAL SUPPLEMENTAL ENVIRONMENTAL ASSESSMENT

3-MONTH EXTENSTION OF THE 2010 WARREN ACT CONTRACT AND LICENSE FOR DELTA LANDS RECLAMATION DISTRICT NO. 770
Supplementing EA-09-177

Appendix E
Concurrence Memo from the U.S. Fish and Wildlife Service

June 2011

United States Department of the Interior

FISH AND WILDLIFE SERVICE
Sacramento Fish and Wildlife Office
2800 Cottage Way, Room W-2605
Sacramento, California 95825-1846

IN REPLY REFER TO:
81420-2008-I-1373-5

Memorandum

To: Supervisory Biologist, Bureau of Reclamation, South-Central California Area Office

From: FOR Daniel Russell Assistant Field Supervisor, Sacramento Fish and Wildlife Office, Sacramento, California

Subject: Request for Concurrence with Determination of Not Likely to Adversely Affect Seven Listed Species for the Bureau of Reclamation's Extension of a Warren Act Contract and License to Convey Non-Project Floodflows in the Friant-Kern Canal from June 2011 through August 2011 in Kings County, California

This memorandum responds to your April 20, 2011, request for concurrence from the U.S. Fish and Wildlife Service (Service) on the above referenced project (proposed project). The Bureau of Reclamation (Reclamation) is proposing to issue a 3-month extension of a temporary Warren Act Contract for conveyance of floodwaters from RD 770 into the Friant Kern Canal. The project is described in detail in our last consultation for this project (08-I-1373-4) and is incorporated by reference in this memo. We received your request via e-mail on April 20, 2011 concerning the potential adverse effects of the proposed project on the following federally-protected species: Fresno kangaroo rat (*Dipodomys nitratoides exilis*), vernal pool fairy shrimp (*Branchinecta lynchi*), vernal pool tadpole shrimp (*Lepidurus packardi*), California tiger salamander (*Ambystoma californiense*), valley elderberry longhorn beetle (*Desmocerus californicus dimorphus*) (beetle), San Joaquin Valley Orcutt grass (*Orcuttia inaequalis*), Hoover's spurge (*Chamaesyce hooveri*), or critical habitat designated for these species. Reclamation made a determination that the proposed project may affect, but is not likely to adversely affect these species. This response is provided pursuant to section 7(a) of the Endangered Species Act as amended (Act) (16 U.S.C. 1531 *et seq.*), and in accordance with the regulations governing interagency consultations (50 CFR §402).

The Service has reviewed your memorandum, the Draft Supplemental Environmental Assessment (EA) on the 3-month extension of the 2010 Warren Act Contract and License for Delta Lands Reclamation District No. 770 (RD 770) (SEA-11-025), the 2010 EA for this project (EA-09-177), which includes information concerning valley elderberry longhorn beetle surveys on four pump stations. This information provided a biological basis sufficient for the Service to concur with Reclamation's determination that the proposed project is not likely to adversely affect any of the species listed above.

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Reclamation consulted with the Service in 2008, 2009 and 2010 and received concurrence from the Service for 1-year renewals of the Warren Act Contract for RD 770 that listed species were not likely to be adversely affected, and that designated critical habitat was not likely to be adversely modified by Reclamation's issuance of a License and a Warren Act contract with RD 770 covering conveyance of up to 250,000 acre feet of water. Those consultations are incorporated by reference (Service File Nos. 08-I-1373, 08-I-1373-2, 08-I-1373-4). The Service previously commented on long-term RD 770 flood contracts in 2004 (Service File No. 04-I-283) in 2002 (Service File No. 02-I-2813) and in 2000 (00-I-0061) and we incorporate those comments by reference.

If you have any questions or concerns about this consultation or the consultation process in general, please contact Joy Winckel or Thomas Leeman of my staff at the letterhead address or at (916) 414-6600.

cc:
Ned Gruenhagen, Bureau of Reclamation, South-Central California Area Office
Tim Rust, Bureau of Reclamation, Mid-Pacific Regional Office
Julie Vance, California Department of Fish and Game, Fresno California
Walter Bricker, Delta Lands Reclamation District #770