

## **Appendix B – NOP and Comment Letters on NOP**



STATE OF CALIFORNIA  
Governor's Office of Planning and Research  
State Clearinghouse and Planning Unit



Edmund G. Brown Jr.  
Governor

Ken Alex  
Director

**Notice of Preparation**

April 9, 2013

To: Reviewing Agencies  
Re: 20 Year Extension of the 2005 Mendota Pool Exchange Agreements  
SCH# 2013041028

Attached for your review and comment is the Notice of Preparation (NOP) for the 20 Year Extension of the 2005 Mendota Pool Exchange Agreements draft Environmental Impact Report (EIR).

Responsible agencies must transmit their comments on the scope and content of the NOP, focusing on specific information related to their own statutory responsibility, within 30 days of receipt of the NOP from the Lead Agency. This is a courtesy notice provided by the State Clearinghouse with a reminder for you to comment in a timely manner. We encourage other agencies to also respond to this notice and express their concerns early in the environmental review process.

Please direct your comments to:

**Charlotte Gallock**  
Westlands Water District  
3130 N. Fresno Street  
Fresno, CA 93703-6056

with a copy to the State Clearinghouse in the Office of Planning and Research. Please refer to the SCH number noted above in all correspondence concerning this project.

If you have any questions about the environmental document review process, please call the State Clearinghouse at (916) 445-0613.

Sincerely,

A handwritten signature in black ink, appearing to read "Scott Morgan".

Scott Morgan  
Director, State Clearinghouse

Attachments  
cc: Lead Agency

**Document Details Report**  
**State Clearinghouse Data Base**

**SCH#** 2013041028  
**Project Title** 20 Year Extension of the 2005 Mendota Pool Exchange Agreements  
**Lead Agency** Westlands Water District

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**Type** NOP Notice of Preparation  
**Description** The MPG, an 11-member unincorporated association of farmers, proposes to extend the existing Exchange Agreements with Reclamation to ensure continued water availability to MPG farmers in the Westlands Water District. MPG irrigated lands are located in the SLC service area in Westlands, and near Mendota Pool. The Exchange Agreements are set to expire on December 31, 2014. Reclamation administers the CVP and would be responsible for continued execution of the exchange. The proposed project would allow MPG farmers to continue the exchange for an additional 20-year period from 2015 through 2034. The water exchange allows MPG farmers to deliver groundwater of suitable quality to Mendota Pool in exchange for CVP irrigation water delivered via the SLC for use on MPG-owned farms in Westlands.

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**Lead Agency Contact**

**Name** Charlotte Gallock  
**Agency** Westlands Water District  
**Phone** (559) 224-6244  
**email** cgallock@westlandswater.org  
**Address** 3130 N. Fresno Street  
**City** Fresno **Fax**  
**State** CA    **Zip** 93703-6056

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**Project Location**

**County** Fresno

**City**

**Region**

**Cross Streets**

**Lat / Long**

**Parcel No.**

**Township**

**Range**

**Section**

**Base**

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**Proximity to:**

**Highways**

**Airports**

**Railways**

**Waterways** San Joaquin River, Delta-Mendota Canal (DMC)

**Schools**

**Land Use** Agriculture

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**Project Issues** Water Quality; Biological Resources; Landuse; Other Issues; Traffic/Circulation; Air Quality; Noise; Archaeologic-Historic

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**Reviewing Agencies** Department of Parks and Recreation; Department of Water Resources; Department of Fish and Wildlife, Region 4; CA Department of Public Health; Delta Stewardship Council; Delta Protection Commission; Native American Heritage Commission; State Lands Commission; California Highway Patrol; Caltrans, District 6; State Water Resources Control Board, Division of Financial Assistance; State Water Resources Control Board, Division of Water Rights; Regional Water Quality Control Bd., Region 5 (Fresno); Resources Agency

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**Date Received** 04/08/2013    **Start of Review** 04/09/2013    **End of Review** 05/08/2013

## NOP Distribution List

County: Fresno

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Resources Agency

Fish & Wildlife Region 1E Laurie Harnsberger

Fish & Wildlife Region 2 Jeff Drongesen

Fish & Wildlife Region 3 Charles Armor

Fish & Wildlife Region 4 Julie Vance

Fish & Wildlife Region 5 Leslie Newton-Reed

Fish & Wildlife Region 6 Gabrina Gatchel

Fish & Wildlife Region 6 I/M Brad Henderson

Fish & Wildlife Region 6 II/M Inyo/Mono, Habitat Conservation Program

Dept. of Boating & Waterways Nicole Wong

California Coastal Commission Elizabeth A. Fuchs

Colorado River Board Gerald R. Zimmerman

Dept. of Conservation Elizabeth Carpenter

California Energy Commission Eric Knight

Cal Fire Dan Foster

Central Valley Flood Protection Board James Herolda

Dept. of Parks & Recreation Environmental Stewardship Section Ron Parsons

California Department of Resources, Recycling & Recovery Sue O'Leary

S.F. Bay Conservation & Dev't. Comm. Steve McAdam

Dept. of Water Resources Resources Agency Nadell Gayou

Other Departments

Food & Agriculture Sandra Schubert

Dept. of Food and Agriculture Services Public School Construction

Dept. of General Services Anna Garbaff Environmental Services Section

Dept. of Public Health Jeffery Worth

Dept. of Health/Drinking Water

Independent Commissions, Boards

Delta Stewardship Council Kevan Samsam

Shand Game Commissions, Boards

Dept. of Fish & Wildlife Scott Flint Environmental Services Division

Fish & Wildlife Region 1 Donald Koch

Delta Protection Commission Michael Machado

Cal EMA (Emergency Management Agency)

<input type="checkbox"/> Native American Heritage Comm. Debbie Treadway	<input type="checkbox"/> Caltrans, District 8 Dan Kopusky
<input type="checkbox"/> Public Utilities Commission Leo Wong	<input type="checkbox"/> Caltrans, District 9 Gayle Rosander
<input type="checkbox"/> Santa Monica Bay Restoration Guangyu Wang	<input type="checkbox"/> Caltrans, District 10 Tom Dumas
<input type="checkbox"/> State Lands Commission Jennifer Deleong	<input type="checkbox"/> Caltrans, District 11 Jacob Armstrong
<input type="checkbox"/> Tahoe Regional Planning Agency (TRPA) Cherry Jacques	<input type="checkbox"/> Caltrans, District 12 Marion Regisford
<u>Cal EPA</u>	
<input type="checkbox"/> Air Resources Board	<input type="checkbox"/> Airport/Energy Projects Jim Lerner
<input type="checkbox"/> Caltrans - Division of Aeronautics Philip Crimmins	<input type="checkbox"/> Transportation Projects Douglas Ito
<input type="checkbox"/> Caltrans - Planning Terri Pencovic	<input type="checkbox"/> Industrial Projects Mike Tollstrup
<input type="checkbox"/> California Highway Patrol Suzann Illeuchi Office of Special Projects	<input type="checkbox"/> State Water Resources Control Board Regional Programs Unit Division of Financial Assistance
<input type="checkbox"/> Housing & Community Development CEQA Coordinator Housing Policy Division	<input type="checkbox"/> State Water Resources Control Board Student Intern, 401 Water Quality Certification Unit Division of Water Quality
<u>Dept. of Transportation</u>	
<input type="checkbox"/> Caltrans, District 1 Rex Jackman	<input type="checkbox"/> State Water Resources Control Board Phil Crader Division of Water Rights
<input type="checkbox"/> Caltrans, District 2 Marcelino Gonzalez	<input type="checkbox"/> Dept. of Toxic Substances Control CEQA Tracking Center
<input type="checkbox"/> Caltrans, District 3 Gary Arnold	<input type="checkbox"/> Department of Pesticide Regulation CEQA Coordinator
<input type="checkbox"/> Caltrans, District 4 Erik Alm	<input type="checkbox"/> Other _____
<input type="checkbox"/> Caltrans, District 5 David Murray	<input type="checkbox"/> _____
<input type="checkbox"/> Caltrans, District 6 Michael Navarro	<input type="checkbox"/> _____
<input type="checkbox"/> Caltrans, District 7 Dianina Watson	<input type="checkbox"/> _____
<u>Regional Water Quality Control Board (RWQCB)</u>	
<input type="checkbox"/> RWQCB 1 Cathleen Hudson North Coast Region (1)	<input type="checkbox"/> RWQCB 2 Environmental Document Coordinator San Francisco Bay Region (2)
<input type="checkbox"/> RWQCB 3 Central Coast Region (3)	<input type="checkbox"/> RWQCB 4 Teresa Rodgers Los Angeles Region (4)
<input type="checkbox"/> RWQCB 5S Central Valley Region (5)	<input type="checkbox"/> RWQCB 5F Central Valley Region (5) Fresno Branch Office
<input type="checkbox"/> RWQCB 6 Lahontan Region (6)	<input type="checkbox"/> RWQCB 5V Central Valley Region (5) Redding Branch Office
<input type="checkbox"/> RWQCB 7 Colorado River Basin Region (7)	<input type="checkbox"/> RWQCB 8 Santa Ana Region (8)
<input type="checkbox"/> RWQCB 9 San Diego Region (9)	<input type="checkbox"/> _____
<u>Conservancy</u>	



State of California – The Natural Resources Agency  
DEPARTMENT OF FISH AND WILDLIFE  
Central Region  
1234 East Shaw Avenue  
Fresno, California 93710  
(559) 243-4014  
[www.wildlife.ca.gov](http://www.wildlife.ca.gov)

EDMUND G. BROWN, Jr., Governor  
CHARLTON H. BONHAM, Director



May 10, 2013

Charlotte Gallock  
Westlands Water District  
3130 North Fresno Street  
Fresno, California 93703-6056

Subject: 20-year Extension of the 2005 Mendota Pool Exchange Agreements  
Notice of Preparation, 2005 Mendota Pool Exchange Agreements  
SCH Number 2013041028

Dear Ms. Gallock:

The California Department of Fish and Wildlife (Department) has reviewed the Notice of Preparation (NOP) for the 20-year Extension of the 2005 Mendota Pool Exchange Agreements (Project). The Department recently submitted similar comments about this Project to the U. S. Bureau of Reclamation (Reclamation) in a comment letter dated April 3, 2013; and historically, we submitted comment letters to Reclamation regarding this Project in 2001 and 2002. The Department is a Reclamation water contractor and a land owner of the Fresno Slough, as such; we have a vested interest in the water quality in the Fresno Slough that is separate from and in addition to our role as a Trustee Agency under the California Environmental Quality Act (CEQA).

Westlands Water District (WD) and Reclamation plan to prepare a joint National Environmental Policy Act (NEPA) and CEQA document to evaluate the potential environmental impacts associated with Project implementation. The document should thoroughly disclose all potentially significant impacts of the groundwater pumping projects (including other projects as addressed below) to all waters, lands, and biological resources, including those owned and managed by the Department. Appropriate avoidance, minimization and mitigation measures to reduce Project-related impacts to less than significant levels should also be included.

As the Department has stated in the past, we continue to believe that continuing this Project has and will continue to result in significant impacts to our Central Valley Project Improvement Act Level 2 and Level 4 Mendota Wildlife Area (WA) water supplies. Water quality monitoring results demonstrate that ground water is consistently more saline than surface waters within the Delta-Mendota Canal/Mendota Pool/Fresno Slough system, and that groundwater pumping is degrading existing water quality within the Mendota Pool system. The Department is very concerned about "salt loading" into this water conveyance system and has serious concerns regarding these groundwater pumping projects.

*Conserving California's Wildlife Since 1870*

Under a current Reclamation contract, groundwater is pumped into the Mendota Pool, which is located at the junction of Fresno Slough and the San Joaquin River in Fresno County. Westlands WD and Reclamation propose to extend the existing contract for another 20 years to the year 2035. The Project description contained in the above referenced NOP states that the Mendota Pool Group will pump up to 25,000 acre-feet of ground water per year, in exchange for 23,750 acre-feet of Delta Mendota Canal (DMC) surface water at Check 13. There is a discrepancy between this Project description and Reclamation's description as stated in the Federal Register, Volume 17, Number 219, November 13, 2012; which states the Mendota Pool Group will pump up to 26,250 acre-feet per year of ground water to the Mendota Pool in exchange for Central Valley Project (CVP) Delta-Mendota Canal (DMC) water credits (up to 25,000 acre-feet). This discrepancy needs to be clarified.

Reclamation agreed to monitor water quality at the Mendota Pool Dam and not allow saline ground water to flow downstream of the dam. At this time, the Department formally requests that saline ground water not be allowed south of the State Route (SR) 180 Bridge. We continue to believe, as we stated in 2001 and 2002, that continuation of this Project is trading our Level 2 and Level 4 water supplies away and degrading water quality in the Mendota Pool. As such, entities that are exchanging their surface water should not do so at the expense of water quality in Mendota Pool and third party Mendota Pool water users.

The pumping of the ground water into the Delta-Mendota Canal/Mendota Pool/Fresno Slough system increases salinity in the Department's water supply that has potentially significant impacts to our property and the biological resources that utilize the Mendota WA and Mendota Pool. The DMC and Mendota Pool/Fresno Slough is the only water conveyance system available for Reclamation to deliver Level 2 and Level 4 Refuge water supplies to the Mendota WA. Water is delivered into the Mendota Pool and pushed south to our gravity flow inlets and lift pump stations for delivery onto the Mendota WA (Figure 1). The Department has been monitoring water quality in the Mendota Pool for over 10 years. There has been a significant increase in salinity at our southernmost lift pump stations (Figure 1, Tables 1 and 2), whereas water source electrical conductance and Total Dissolved Solids (TDS) at the DMC were significantly lower ( $P < 0.05$ ) than the waters that reach lift pumps 3, 5 and 7. Water at Pump 10 is represented by water quality results from pump 5. Pumps 3, 5, 7 and 10 provide water for over two-thirds of the managed wetlands on the Mendota WA. Another major concern is that the increasing levels of electrical conductance and TDS is most notable and significant during our fall flood-up period when we receive over one-half of our annual water supplies, which is approximately 29,650 acre-feet per year.

Increased salinity in our water supply will increase salt loading into our soils, which will in time alter the species composition of the wildlife food crops that the Mendota WA manage to produce. With increased saline supply waters, we will be discharging increasingly saline waters, where we could potentially be liable for not complying with the Regional Water Quality Control Board (Board) San Joaquin River Total Maximum

Daily Loads (TMDL) for salinity, as well as other constituents of concern. The Board CV SALTS Program is identifying salt loading sources and evaluating management methods to reduce salt loading in the Central Valley waters. Ground water pumping projects such as this, are adding significant amounts of salts to surface waters in the valley.

Section 5650(a)(6) of the Fish and Game Code provides that it is unlawful to deposit in, permit to pass into, or place where it can pass into the "Waters of the State," any substance or material deleterious to fish, plant life, mammals, or bird life. Poor water quality associated with increasingly saline waters has been documented to be deleterious to fish and other aquatic life, particularly by degrading and altering the composition of the habitat. The continuing discharge of excessively saline water and associated poor water quality will likely impact the Mendota Wildlife Area and the Fresno Slough. The degree of impact is unknown at this time; however, long-term impacts to the aquatic biota should be expected. The unauthorized discharge of substances deleterious to fish and wildlife could constitute a violation of Section 5650 (a) (6) of the Fish and Game Code.

#### Cumulative Impacts

Cumulative impacts need to be fully discussed and mitigation identified. There is a number of groundwater pumping projects throughout the Delta-Mendota Canal/Mendota Pool/Fresno Slough system. The following are Projects that we are aware exist, but the list is not inclusive:

- Delta-Mendota Canal Pump-in Program: The DMC is on the west side of the San Joaquin Valley and extends from the Delta Region near Tracy to the Mendota Pool in Fresno County. The San Luis & Delta-Mendota Water Authority (Authority) represents a group of water service districts who continue to pump 50,000 acre-feet of underground water into the DMC to use as a storage and conveyance of non-Central Valley Project Water pursuant to the Warren Act.
- Tranquillity Irrigation District/San Luis Water District Groundwater Transfer/Exchange Program 2011 through 2013: Tranquillity Irrigation District (TID) is our neighbor along the south side Mendota WA. Their project is to pump 7,500 acre-feet per year of groundwater into the Fresno Slough in exchange for an equal amount of Reclamation water to the San Luis Water District. This pumped groundwater from the TID wells is discharged directly into the conveyance delivery canal along our southern border which serves our Pumps 3 and 7. This effectively creates a situation where there is the inability to mix with DMC water in the confined delivery canal and exponentially increases the salinity of the waters discharged onto the Mendota WA from Pumps 3 and 7.

- **Adjacent Use:** As stated in the NOP, existing landowners will continue to pump up to 14,000 acre-feet of groundwater into the Mendota Pool for irrigation of lands adjacent to the Mendota Pool owned and operated by Mendota Pool Group.
- **Other Private Groundwater Pumping:** We have observed a private well across from our southwest corner boundary delivering ground water into this our southern boundary water delivery canal, which delivers saline groundwater directly to our Pump 7. Other such projects need to be investigated.

#### Land Subsidence and Groundwater Over Drafting

Land subsidence and groundwater over drafting is a serious issue within the Mendota, California area. Studies for the Madera County Integrated Regional Water Management Plan have shown that a portion of the Eastside Bypass, which is within 20 miles from the Mendota Dam, has dropped two feet in the last 2 years. This subsidence has resulted in a reduced capacity for the bypass to pass flood flows, potentially impacting several ecologically sensitive areas in the region. In the Project area, Mendota Pool Dam has also experienced subsidence over the years. This subsidence, combined with other factors, has led the Department of Water Resource's Division of Safety of Dams to require the water level be lowered in the pool to maintain the integrity of Mendota Pool Dam. The lowered water level at the dam has resulted in lower water levels to the Department's gravity flow and lift pump inlets at Mendota WA. Our northernmost gravity flow inlet no longer receives water on a regular basis causing loss of trees and habitat along the northern edge of the wildlife area. Our lift stations do not pump efficiently because the inlets are not fully covered with water allowing air to be pulled into the pumps, decreasing water flows. Decreased water flow results in: operating our pumps for longer periods; increased electricity costs; increased personnel costs to operate, monitoring and maintain the pumps; and increased overall wear and tear on our pumps that will result in a shorter equipment life.

#### Biota

The Fresno Slough supports viable fisheries such as black bass (*Micropterus* sp.), carp (*Cyprinus carpio*), crappie (*Pomoxis* sp.), bluegill (*Lepomis* sp.), catfish (*Ictalurus* sp.), Sacramento blackfish (*Orthodon microlepidotus*), Sacramento sucker (*Catostomus occidentalis*), hardhead (*Mylopharodon conocephalus*), and mosquitofish (*Gambusia affinis*). The slough also supports amphibians (i.e., frogs), reptiles (i.e. turtles), birds (i.e., ardeids, grebes, waterfowl), and mammals (i.e., raccoons, muskrats).

A review of the California Natural Diversity Database (CNDDB) and records from surveys by Department staff demonstrate that several State and Federal-listed threatened or endangered species occur within or near the Project site including: the State threatened bank swallow (*Riparia riparia*), the State endangered western yellow-billed cuckoo (*Coccyzus americanus occidentalis*), the State threatened Swainson's

hawk (*Buteo swainsoni*), the federally endangered and State threatened San Joaquin kit fox (*Vulpes macrotis mutica*), the federally and State endangered Fresno kangaroo rat (*Dipodomys nitratoides exilis*), the State threatened San Joaquin antelope squirrel (*Ammospermophilus nelson*), the federally endangered and State endangered and fully protected blunt-nosed leopard lizard (*Gambelia sila*), the federally and State threatened giant garter snake (*Thamnophis gigas*), and the federally and State endangered palmate-bracted bird's -beak (*Cordylanthus palmatus*). State Species of Special Concern potentially inhabiting the area include: American badger (*Taxidea taxus*), western red bat (*Lasius blossevillii*), western mastiff bat (*Eumops perotis californicus*), mountain plover (*Charadrius montanus*), western spadefoot (*Spea hammondii*), western pond turtle (*Emys marmorata*), silvery legless lizard (*Anniella pulchra pulchra*), coast horned lizard (*Phrynosoma blainvillii*), San Joaquin whipsnake (*Masticophis flagellum ruddocki*), two-striped garter snake (*Thamnophis hammondii*), burrowing owl (*Speotyto cunicularia*), and tricolored blackbird (*Agelaius tricolor*). Department Watch List white-faced ibis (*Plegadis chihi*) also inhabit the area. Special status plant species known to occur in the Project area vicinity include: the Rare Plant Rank 1B.2 Sanford's arrowhead (*Sagittaria sanfordii*), Munz's tidy-tips (*Layia munzii*), heartscale (*Atriplex cordulata var. cordulata*), Lost Hills crownscale (*Atriplex coronata var. vallicola*), brittlescale (*Atriplex depressa*), subtle orache (*Atriplex subtilis*); the Rare Plant Rank 1B.1 lesser saltscale (*Atriplex munuscula*); and the Rare Plank Rank 4.2 Hoover's eriastrum (*Eriastrum hooveri*). The Mendota WA is listed as Coastal and Valley freshwater marsh habitat, and the adjacent Department owned Alkali Sink and Kerman Ecological Reserves are comprised of both alkali sink and northern clay pan vernal pool habitats. Any potential impacts to State or Federally listed species, with special emphasis on giant garter snake, should be addressed in the Environmental Impact Statement/Environmental Impact Report (EIS/EIR).

Table 3 presents an estimate of average waterfowl use-days for the Mendota WA. The average monthly use-days were approximated because the results were based on aerial census information that is primarily used for indexing waterfowl population trends. Waterfowl populations fluctuate from year to year and from month to month. Depending on the year, the Wildlife Area supports approximately 10 to 20 million waterfowl use-days per year, as well as, a wide variety of non-game species. During the winter and spring, thousands of shorebirds plus, white-faced ibis, cattle egret, greater egret, snowy egret, great blue heron, and long-bill curlews frequent and nest within the Mendota WA. In recent years, white-faced ibis have successfully nested with colonies numbering in the thousands. These species are not reflected in the waterfowl use estimate table. Potential Project related impacts to these biological resources, as well as the associated recreational use should be evaluated in the EIR/EIS prepared for this Project.

We recommend that long term monitoring be required as part of the Project, including a quarterly biotic monitoring program, particularly for a long term Project such as this, which is planned for another 20 years. The biotic monitoring should at a minimum include an "aquatic community assessment" pursuant to the Environmental Protection Agency (EPA) guidelines. The Department recommends an intensive water quality

monitoring program and development of a “real time” water management program to protect the above biotic resources. For such monitoring to assist in minimizing Project-related impacts, triggers for implementation of remedial actions, and specific remedial actions to be implemented must also be identified.

## Summary

To summarize, the Department has the following concerns regarding this project including, but not limited to:

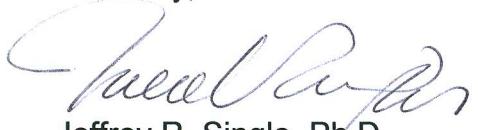
- Continuing water quality degradation and impacts to associated biological (both terrestrial and aquatic) resources within the Mendota Pool/Fresno Slough.
- Degradation of the quality of our Refuge water supplies and related water quality impacts to wildlife habitats within the Department’s Mendota WA.
- Subsidence of the Mendota Dam and levees that allow the Mendota Pool to function.
- Water delivery impacts, such as delivery schedules, for Level 2 and 4 water supplies to the Mendota WA.

The Department recommends the following component Plans for a comprehensive Program be developed and implemented to manage and monitor water quality in all of these waterways.

- A “Real Time” Water Management and Implementation Plan that is comprehensible and can be implemented by “field level” personnel to manage and maintain water quality throughout the Mendota Pool system. Management options should be anticipatory to minimize operational “bottlenecks” (i.e., “Yellow light actions”).
- A comprehensive Water Quality Monitoring Plan.
- A Biotic Monitoring Plan.
- A Limnological Study Plan to identify the spatial and temporal distribution of physical and water quality characteristics in the water column throughout the Mendota Pool system under a range of hydrological conditions.
- A Mitigation Plan for impacts resulting from this Project.

Thank you for the opportunity for the Department to comment on this Project. If you have any questions regarding these comments please contact Ms. Terry Palmisano, Environmental Program Manager, or Dr. Andrew Gordus, Staff Toxicologist, at the address or telephone number provided on this letterhead.

Sincerely,



Jeffrey R. Single, Ph.D.  
Regional Manager

Attachments: Figure 1, Tables 1, 2 and 3

cc: Michael P. Jackson, P.E.  
Area Manager  
United States Bureau of Reclamation  
South-Central California Area Office  
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Fresno, California 93721-1831

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California Regional Water Quality Control Board  
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Fresno, California 93706-2007

Mr. Ken Landau  
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Mr. Clay Rogers  
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Sacramento, California 95812

ec: Paul Forsberg  
Jeff Shu  
Brian Cary  
Terry Palmisano  
Bill Cook  
Steve Brueggemann  
California Department of Fish and Wildlife

Table 1. Electro-conductance (uS/cm) for Mendota Wildlife Area water supply (2002 to 2012). Bars represent no significance difference based on 2-Way ANOVA ( $F = 28.4$ ,  $DF = 4, 5$ ,  $p < 0.05$ ).

Location	Season <sup>1</sup>	Mean (EC)	Sample size
Delta Mendota Canal	Irrigation/Summer/Fall	353.2	22
Delta Mendota Canal	Fall Flood-up	442.9	39
Delta Mendota Canal	Summer Wetlands/Irrigation	442.9	78
Delta Mendota Canal	Irrigation Season	510.6	22
Mendota WA Bridge	Irrigation/Summer/Fall	525.2	22
Highway 180 Bridge	Irrigation/Summer/Fall	533.6	22
Pump 5	Irrigation/Summer/Fall	542.3	22
Delta Mendota Canal	Winter Maintenance	553.1	55
Mendota WA Bridge	Winter Maintenance	559.9	56
Highway 180 Bridge	Winter Maintenance	567.6	55
Mendota WA Bridge	Fall Flood-up	589.4	39
Highway 180 Bridge	Fall Flood-up	590.9	39
Pump 5	Winter Maintenance	591.3	53
Highway 180 Bridge	Summer Wetlands/Irrigation	594.9	79
Mendota WA Bridge	Summer Wetlands/Irrigation	603.8	79
Mendota WA Bridge	Irrigation Season	632.4	22
Highway 180 Bridge	Irrigation Season	632.9	22
Pump 5	Irrigation Season	635.1	22
Pump 5	Fall Flood-up	648.6	39
Pump 5	Summer Wetlands/Irrigation	655.6	78
Pump 3	Irrigation/Summer/Fall	666.8	22
Pump 3	Summer Wetlands/Irrigation	679.3	77
Pump 3	Fall Flood-up	680.1	39
Pump 3	Winter Maintenance	682.3	49
Pump 3	Irrigation Season	714.4	19
Pump 7	Winter Maintenance	840.2	23
Pump 7	Summer Wetlands/Irrigation	893.6	31
Pump 7	Fall Flood-up	918.2	19
Pump 7	Irrigation/Summer/Fall	934.7	9
Pump 7	Irrigation Season	995.3	6

<sup>1</sup>Irrigation/Summer/Fall = August (1,000 ac-ft)

Fall Flood-up = September through October (13,000 ac-ft)

Winter Maintenance = November through February (6,000 ac-ft)

Irrigation Season = March (500 ac-ft)

Summer Wetlands/Irrigation = April through July (2,500 ac-ft)

Table 2. Total Dissolved Solids (TDS) (mg/l) for Mendota Wildlife Area water supply (2002 to 2012).  
 Bars represent no significance difference based on 2-Way ANOVA ( $F = 23.0$ ,  $DF = 4, 5$ ,  $p < 0.05$ ).

Location	Season <sup>1</sup>	Mean	Sample size
Delta Mendota Canal	Irrigation/Summer/Fall	168.4	22
Delta Mendota Canal	Summer Wetlands/Irrigation	215.7	78
Delta Mendota Canal	Fall Flood-up	218.0	39
Mendota WA Bridge	Irrigation/Summer/Fall	250.9	22
Highway 180 Bridge	Irrigation/Summer/Fall	255.0	22
Pump 5	Irrigation/Summer/Fall	257.9	22
Delta Mendota Canal	Irrigation Season	274.4	22
Highway 180 Bridge	Fall Flood-up	287.2	39
Mendota WA Bridge	Fall Flood-up	290.2	39
Highway 180 Bridge	Summer Wetlands/Irrigation	291.6	79
Delta Mendota Canal	Winter Maintenance	292.2	55
Mendota WA Bridge	Summer Wetlands/Irrigation	293.8	79
Mendota WA Bridge	Winter Maintenance	296.4	56
Highway 180 Bridge	Winter Maintenance	301.2	55
Pump 5	Winter Maintenance	310.8	53
Pump 5	Fall Flood-up	317.5	39
Pump 5	Summer Wetlands/Irrigation	318.2	78
Pump 3	Irrigation/Summer/Fall	319.6	22
Pump 3	Summer Wetlands/Irrigation	326.0	77
Pump 3	Fall Flood-up	329.6	39
Mendota WA Bridge	Irrigation Season	331.3	22
Highway 180 Bridge	Irrigation Season	331.9	22
Pump 5	Irrigation Season	331.9	22
Pump 3	Winter Maintenance	353.1	49
Pump 3	Irrigation Season	368.6	19
Pump 7	Winter Maintenance	398.9	23
Pump 7	Irrigation/Summer/Fall	422.0	8
Pump 7	Summer Wetlands/Irrigation	435.5	29
Pump 7	Fall Flood-up	451.2	19
Pump 7	Irrigation Season	470.6	8

<sup>1</sup>Irrigation/Summer/Fall = August (1,000 ac-ft)

Fall Flood-up = September through October (13,000 ac-ft)

Winter Maintenance = November through February (6,000 ac-ft)

Irrigation Season = March (500 ac-ft)

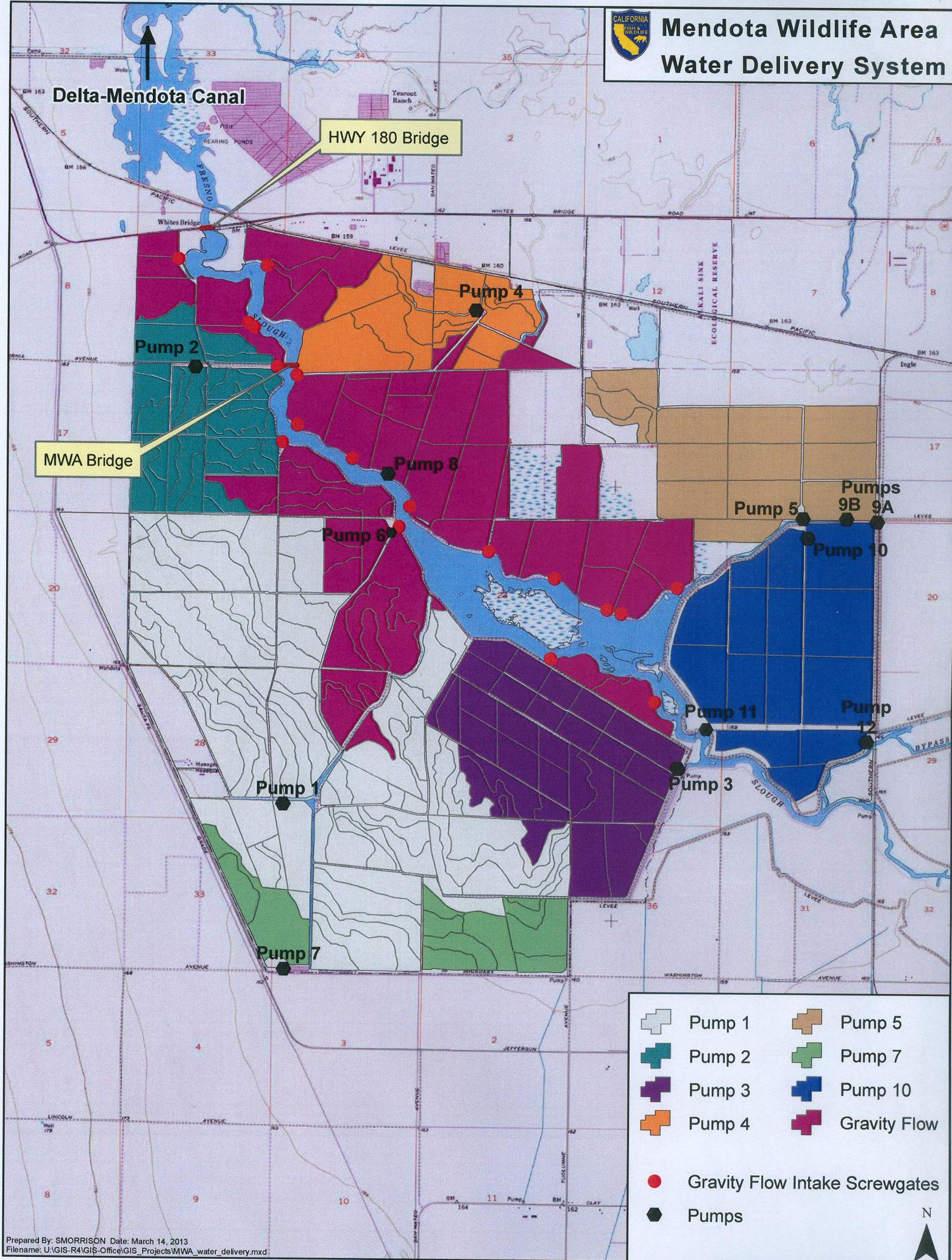
Summer Wetlands/Irrigation = April through July (2,500 ac-ft)

**Table 3.** Waterfowl use days at Mendota Wildlife Area, Mendota, Fresno County, California.

Month	Waterfowl	Coot	Total/days	Days in month	Use days per Month
Aug	20,000	1,000	21,000	31	651,000
Sept	30,000	5,000	35,000	30	1,050,000
Oct	25,000	5,000	30,000	31	1,550,000
Nov	25,000	10,000	35,000	30	1,050,000
Dec	55,000	15,000	70,000	31	2,170,000
Jan	60,000	15,000	75,000	31	2,325,000
Feb	80,000	15,000	95,000	28	2,660,000
March	50,000	15,000	65,000	31	2,015,000
April	25,000	10,000	35,000	30	1,050,000
May	5,000	1,000	6,000	31	186,000
June	5,000	1,000	6,000	30	180,000
July	5,000	1,000	6,000	31	186,000
Total	405,000	94,000	499,000	365	15,073,000



## Mendota Wildlife Area Water Delivery System





## Westlands Water District

3130 N. Fresno Street, P.O. Box 6056, Fresno, California 93703-6056. (559) 224-1523. FAX (559) 241-6277

### NOTICE OF PREPARATION OF A DRAFT ENVIRONMENTAL IMPACT STATEMENT/ENVIRONMENTAL IMPACT REPORT FOR THE 20-YEAR EXTENSION OF THE 2005 MENDOTA POOL EXCHANGE AGREEMENTS

**DATE:** April 3, 2013

**TO:** State Clearinghouse, Responsible Agencies, Trustee Agencies, Organizations and Interested Parties

**LEAD AGENCY:** Westlands Water District  
3130 N. Fresno St.  
Fresno, CA 93703-6056  
Contact: Charlotte Gallock, EIT  
Phone: (559) 241-6244  
[cgallock@westlandswater.org](mailto:cgallock@westlandswater.org)

Westlands Water District (Westlands) is acting as the Lead Agency under the California Environmental Quality Act (CEQA) in the preparation of the Environmental Impact Report (EIR) portion of a joint Environmental Impact Statement/Environmental Impact Report (EIS/EIR) for the 20-Year Extension of the 2005 Mendota Pool Exchange Agreements (Exchange Agreements). Westlands is preparing the EIS/EIR in coordination with the U.S. Bureau of Reclamation (Reclamation), which is acting as the federal lead agency under the National Environmental Policy Act (NEPA) for the EIS portion of the EIS/EIR. Reclamation held two public scoping meetings (one on November 27, 2012 in Fresno, California and one on December 10, 2012 in Mendota, California). These scoping meetings were held under the NEPA scoping process requirements and also fulfill the public scoping meeting requirements under CEQA.

In accordance with Section 15082 of the State CEQA Guidelines, Westlands has prepared this Notice of Preparation (NOP) to provide Responsible Agencies, Trustee Agencies and other interested parties with information describing the Proposed Project and its potential environmental effects. The EIS/EIR will focus on key environmental issues including groundwater levels and quality, surface water quality, and biological resources. However, the EIS/ EIR will consider all resource areas that would be potentially affected by the Proposed Project, including:

- Groundwater Levels
- Groundwater Quality
- Surface Water Quality
- Biological Resources
- Land Subsidence
- Sediment Quality
- Climate Change
- Environmental Justice and Socioeconomics
- Central Valley Project Operations
- Land Use
- Traffic
- Air Quality
- Noise
- Indian Trust Assets
- Indian Sacred Sites
- Archeological and Cultural Resources

**PROJECT APPLICANT:** Mendota Pool Group (MPG)



## Westlands Water District

**PROJECT LOCATION:** The project is located within the San Joaquin Valley in Central California (Figure 1). The project area includes farms and groundwater wells owned and/or operated by the Mendota Pool Group (MPG) farmers located within Farmers Water District (FWD) and areas surrounding Mendota pool in Fresno County, as well as MPG-owned farmland in Westlands (Figure 2).

**Study Areas:** Two study areas have been delineated for the purpose of impact analysis of the Proposed Project and alternatives: a Primary Study Area and a Secondary Study Area (Figure 1). The Primary Study area is that area where direct environmental impacts have the potential to occur within a local context and corresponds to the MPG study area for the annual groundwater monitoring program conducted under the existing Exchange Agreements. The Primary Study Area extends out to an approximately six-mile radius around FWD, incorporating MPG-owned and/or project-related wells and surrounding lands within western Fresno County and southwestern Madera County. The Secondary Study Area includes the Primary Study Area and additional lands owned and/or farmed by MPG in Westlands where direct or indirect environmental impacts have the potential to occur. Additionally, the Secondary Study Area was delineated based on the potential for project and cumulative effects on groundwater flow and direction, and the potential for changes in agricultural operations and resources.

**Project History:** The MPG commenced the groundwater pumping program and water exchange in 1989. In 1995, Westlands certified an EIR for a pumping and exchange program. In 2004, prior to executing the existing Exchange Agreements, Reclamation prepared a Final EIS that evaluated potential impacts of the groundwater pumping and water exchange program. Mitigation that addressed potential impacts were included in the EIS and incorporated into the Exchange Agreements. These mitigations include a baseline pumping program, design constraints (i.e., management strategies), a monitoring program, and adaptive management, all of which would continue with the extension of the Exchange Agreements.

**Project Background and Objectives:** Central Valley Project (CVP) irrigation water deliveries to Westlands have declined significantly since 1989, creating the need for farmers in the area to supplement their water supplies through other sources. There are no other readily available supplemental sources of surface water that can be used to irrigate MPG lands in Westlands. MPG members own approximately 38,000 acres of irrigated farmland in Westlands that are largely dependent upon CVP water delivered from the San Luis Canal (SLC).

The objective of the Exchange Agreements is to:

- Replace water no longer available due to restrictions on water export from the Sacramento – San Joaquin River Delta;
- Deliver water to farms for an average cost that approximates the cost of contract water and does not exceed the cost of supplemental water on the open market; and
- Maintain production on lands with long-term water supply contracts that have regularly produced agricultural commodities.

**PROJECT DESCRIPTION:** The MPG, an 11-member unincorporated association of farmers, proposes to extend the existing Exchange Agreements with Reclamation to ensure continued water availability to MPG farmers in the Westlands Water District. MPG irrigated lands are



## Westlands Water District

located in the SLC service area in Westlands, and near Mendota Pool (Figure 2). The Exchange Agreements are set to expire on December 31, 2014. Reclamation administers the CVP and would be responsible for continued execution of the exchange. The Proposed Project would allow MPG farmers to continue the exchange for an additional 20-year period from 2015 through 2034. The water exchange allows MPG farmers to deliver groundwater of suitable quality to Mendota Pool in exchange for CVP irrigation water delivered via the SLC for use on MPG-owned farms in Westlands.

The Proposed Project consists of the following components:

- a. CVP Water Transfer. The existing Exchange Agreements authorize the MPG to pump up to 25,000 acre-feet (AF) of water per year (AFY) of non-CVP water from their groundwater wells into the Mendota Pool via existing pipelines, and exchange it contractually with Reclamation for up to 23,750<sup>1</sup> AFY of CVP water from the Delta-Mendota Canal (DMC) at Check 13 at O'Neal Forebay of the San Luis Reservoir. The proposed 20-year extension of the Exchange Agreements would allow for continued water exchange; however, MPG would be limited to pumping a maximum of 400,000 AF of groundwater for exchange with up to 380,000 AF of CVP water over the 20-year period (2015-2034). This exchanged water would be delivered to land owned by MPG members in Westlands. Reclamation would issue a series of annual or multi-year exchange agreements over the 20-year period. The amount of water exchanged each year would vary based on a number of factors, including rainfall, CVP water availability and ground and surface water monitoring data reflecting the effects of MPG pumping. The groundwater pumping program would be adaptively managed to minimize environmental impacts. Adjustments will be made to the pumping program if the monitoring program indicates that actions need to be taken to prevent significant impacts, such as well drawdown, subsidence, or water quality degradation in the Mendota Pool.
- b. "Adjacent Use": In addition to water exchanged with Reclamation through the CVP, the program would continue to authorize the MPG to pump up to an additional 14,000 AFY of groundwater from MPG wells to irrigate overlying lands and lands adjacent to the Mendota Pool owned and operated by members of the MPG. This provision is referred to in the existing Exchange Agreements as "adjacent use". Although this water would be pumped from MPG wells located in FWD and from other non-districted areas around the Mendota Pool, all water pumped in FWD for adjacent use must be used within FWD to allow for groundwater recharge within this area. If pumping for adjacent use exceeds 14,000 AFY, CVP transfer pumping (as discussed above) must be reduced by a corresponding amount.
- c. Groundwater Recharge. The Proposed Project would include a groundwater recharge component not currently provided for in the existing Exchange Agreements. The purpose of the groundwater recharge component is to replenish the San Joaquin Groundwater Basin during periods when surplus CVP water or flood flows are available. The groundwater recharge component is intended to offset potential adverse effects of groundwater pumped under the Exchange Agreements.

<sup>1</sup> The existing Exchange Agreements require that 5% of the water pumped into the Mendota Pool under these agreements be retained in the Pool to account for Mendota Pool conveyance water loss.



## Westlands Water District

The groundwater recharge component could include use of existing recharge basins on the New Columbia Ranch owned by Paramount Farming Company (PFC) (Figure 2). Potential water sources available for groundwater recharge would include flood flows from the Kings River, Section 215 surplus CVP water for South of Delta Contractors (water from San Luis Reservoir), Section 215 water for Friant Contractors, and surplus San Joaquin River restoration flows which would be conveyed by existing diversions on the New Columbia Ranch. These diversions may include the Columbia Canal, Ridge Ditch, Central Canal, or Lone Willow Slough. Groundwater recharge could also include use of an existing recharge canal on land owned by Terra Linda Farms located west of the Fresno Slough whenever supplemental water or flood flows are available. Water sources potentially available for groundwater recharge at this location include Section 215 surplus CVP water, flood flows from the Kings River, and surplus San Joaquin River restoration flows.

d. New Groundwater Wells. The Proposed Project also includes the replacement of groundwater wells, as necessary, and the continuation of the existing groundwater monitoring program. In addition, an unknown number of MPG wells along the San Joaquin River may be affected or removed from service due to the changes associated with the SJRRP.

**Project Alternatives:** Project alternatives currently under consideration that may be assessed in the EIS/EIR depending upon feasibility include a groundwater recharge program supplied by expansion of the existing Terra Linda Farms recharge canal located along the western side of the Fresno Slough. An additional alternative under consideration includes drilling wells in Westlands to supply west San Joaquin Valley groundwater to MPG farms in this area. Two (2) No Project Alternatives, including the fallowing of existing MPG farmland in Westlands and pursuit of alternative agricultural practices such as dry farming, may also be considered.

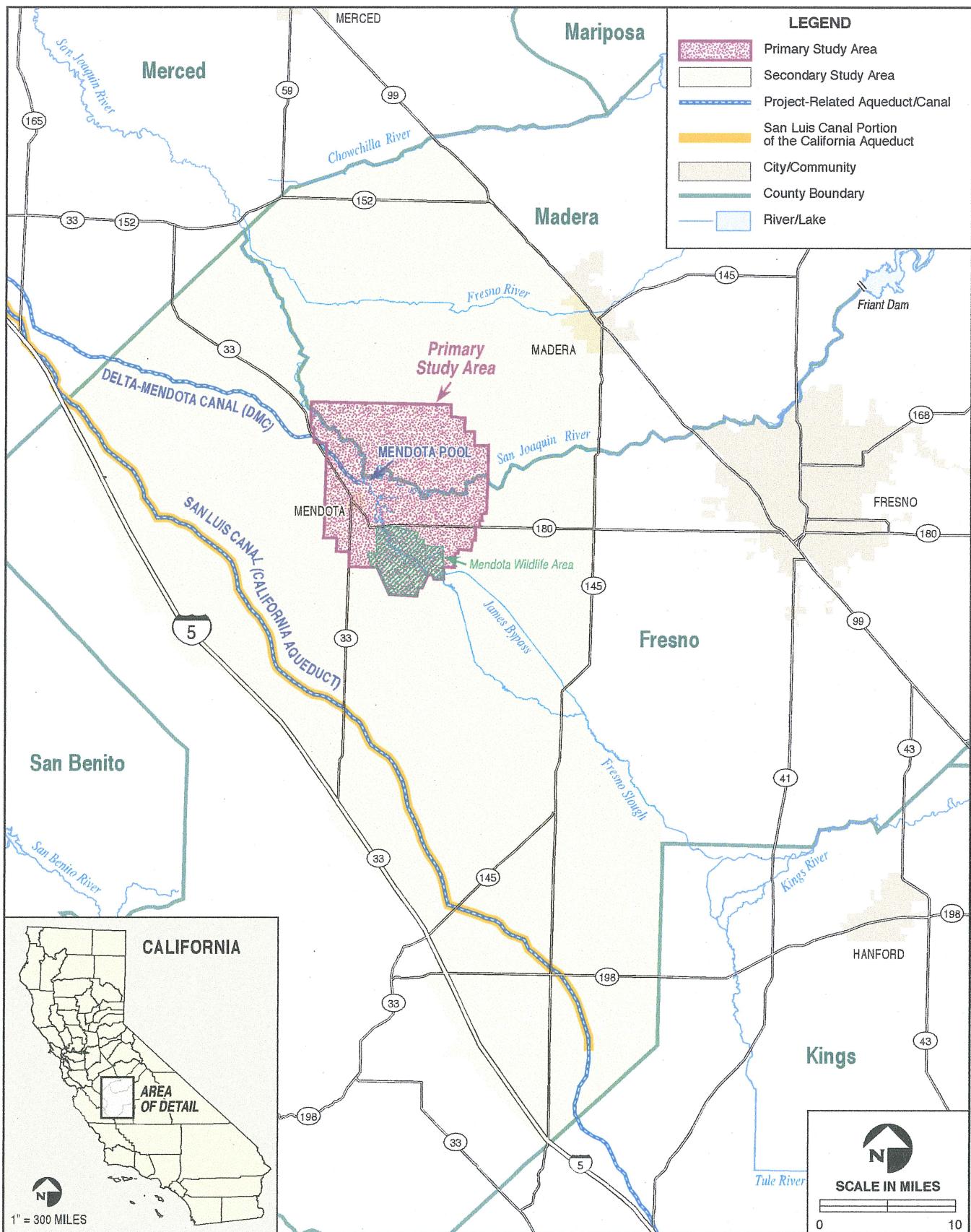
**CEQA REVIEW PERIOD:** As required by the State CEQA Guidelines, this Notice of Preparation is being circulated for a 30-day public review period. Westlands welcomes agency and public input during this period regarding the scope and content of environmental information related to your agency's responsibility that must be included in the Draft EIS/EIR. Comments may be submitted, in writing, by 5:00 p.m. on May 3, 2013 and addressed to:

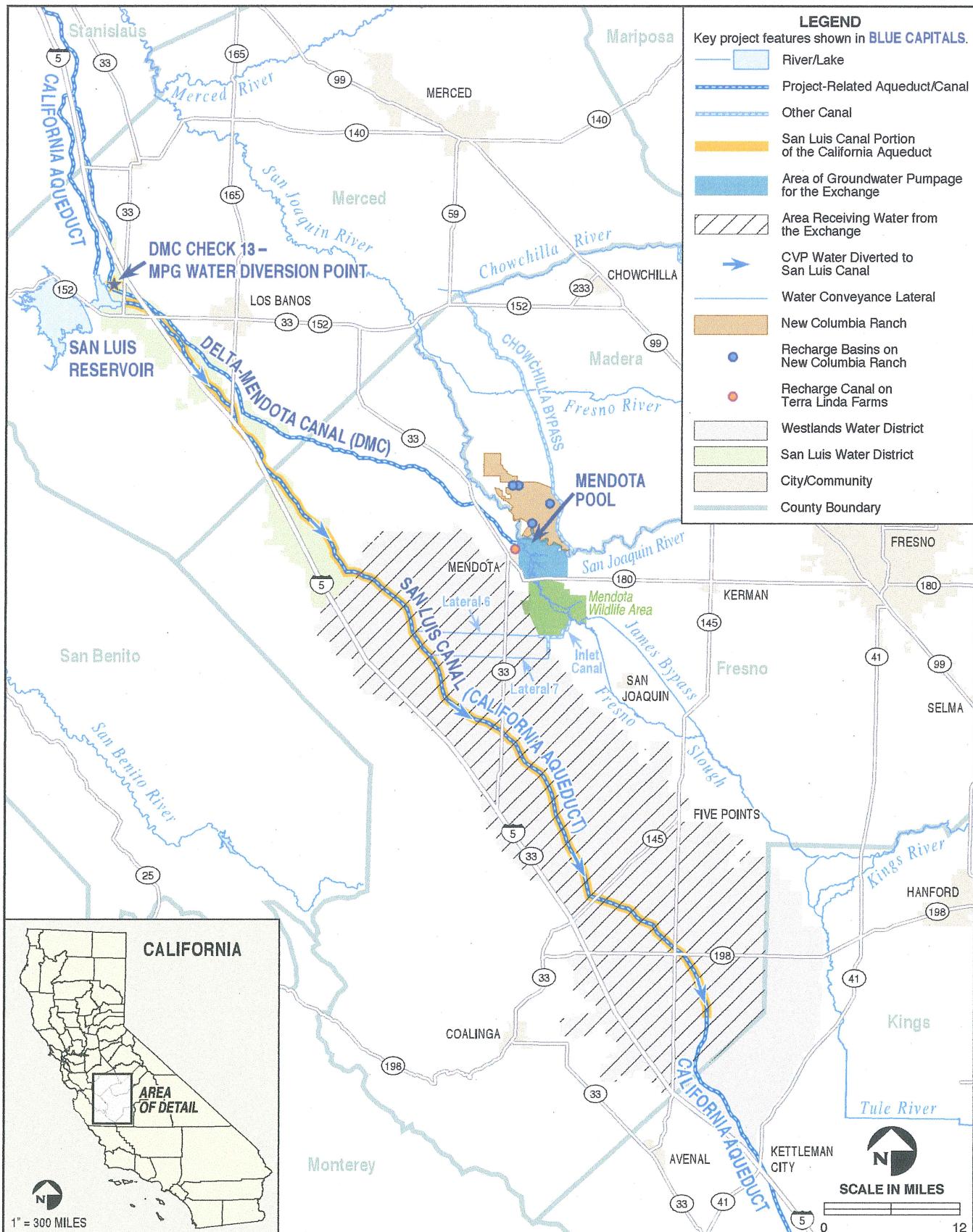
Charlotte Gallock, EIT  
Westlands Water District  
P.O. Box 6056  
Fresno, CA 93703  
E-mail: [cgallock@westlandswater.org](mailto:cgallock@westlandswater.org)

**ESPAÑOL:** Esto es una noticia de la preparación de un informe de impactos ambientales sobre la extensión de 20 años de los acuerdos de intercambio de 2005 para el estanque de Mendota, lo cual puede ser de interés a usted. Para más información, llame a Israel Sanchez at 559-241-6237.

  
Jose Gutierrez  
Deputy General Manager - Resources

April 2, 2013  
Date





**STATE OF CALIFORNIA**

**Edmund G. Brown, Jr., Governor**

**NATIVE AMERICAN HERITAGE COMMISSION**

915 CAPITOL MALL, ROOM 364  
SACRAMENTO, CA 95814  
(916) 653-6251  
(916) 657-5390 - FAX

April 24, 2013

Ms. Charlotte Gallock, Environmental Planner

**Westlands Water District**

3130 N. Fresno Street  
Fresno, CA 93703-6056

RE: SCH# 2013041028 CEQA Notice of Preparation (NOP); draft Environmental Impact Report (DEIR) for the **20 Year Extension of the 2005 Mendota Pool Exchange Agreements Project**; located the Central Valley Project area; Fresno County, California.

Dear Ms. Gallock:

The Native American Heritage Commission (NAHC) has reviewed the CEQA Notice regarding the above referenced project. In the 1985 Appellate Court decision (170 Cal App 3<sup>rd</sup> 604), the court held that the NAHC has jurisdiction and special expertise, as a state agency, over affected Native American resources impacted by proposed projects, including archaeological places of religious significance to Native Americans, and to Native American burial sites.

The California Environmental Quality Act (CEQA) states that any project that causes a substantial adverse change in the significance of an historical resources, which includes archeological resources, is a significant effect requiring the preparation of an EIR (CEQA guidelines 15064(b)). To adequately comply with this provision and mitigate project-related impacts on archaeological resources, the Commission recommends the following actions be required:

Contact the appropriate Information Center for a record search to determine :If a part or all of the area of project effect (APE) has been previously surveyed for cultural places(s), The NAHC recommends that known traditional cultural resources recorded on or adjacent to the APE be listed in the draft Environmental Impact Report.

If an additional archaeological inventory survey is required, the final stage is the preparation of a professional report detailing the findings and recommendations of the records search and field survey. We suggest that this be coordinated with the NAHC, if possible. The final report containing site forms, site significance, and mitigation measurers should be submitted immediately to the planning department. All information regarding site locations, Native American human remains, and associated funerary objects should be in a separate confidential addendum, and not be made available for public disclosure pursuant to California Government Code Section 6254.10. Contact has been made to the Native American Heritage Commission for :a Sacred Lands File Check. A list of appropriate Native American Contacts for consultation concerning the project site has been provided and is attached to this letter to determine

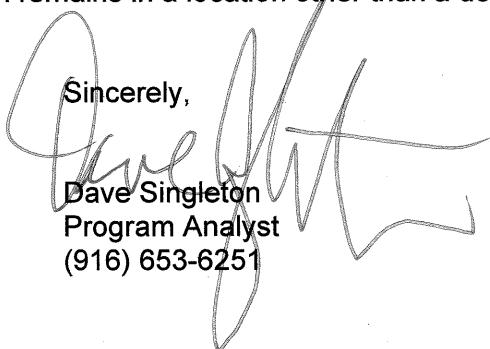
if the proposed active might impinge on any cultural resources. Lack of surface evidence of archeological resources does not preclude their subsurface existence.

Lead agencies should include in their mitigation plan provisions for the identification and evaluation of accidentally discovered archeological resources, per California Environmental Quality Act (CEQA) §15064.5(f). In areas of identified archaeological sensitivity, a certified archaeologist and a culturally affiliated Native American, with knowledge in cultural resources, should monitor all ground-disturbing activities.

Lead agencies should include in their mitigation plan provisions for the disposition of recovered artifacts, in consultation with culturally affiliated Native Americans.

Lead agencies should include provisions for discovery of Native American human remains in their mitigation plan. Health and Safety Code §7050.5, CEQA §15064.5(e), and Public Resources Code §5097.98 mandates the process to be followed in the event of an accidental discovery of any human remains in a location other than a dedicated cemetery.

Sincerely,

  
Dave Singleton  
Program Analyst  
(916) 653-6251

CC: State Clearinghouse

Attachment: Native American Contacts list

# Native American Contacts Fresno County April 24, 2013

Big Sandy Rancheria of Mono Indians  
Elizabeth Hutchins Kipp, Chairperson  
P.O. Box 337 / 37302                    Western Mono  
Auberry                                    CA 93602  
[ck@bigsandyrancheria.com](mailto:ck@bigsandyrancheria.com)  
(559) 855-4003  
(559) 855-4129 Fax

Cold Springs Rancheria of Mono Indians  
Robert Marquez, Chairperson  
P.O. Box 209 Mono  
Tollhouse , CA 93667  
(559) 855-5043  
559-855-4445 - FAX

Dumna Wo-Wah Tribal Goverment  
Robert Ledger SR., Tribal Chairperson  
2216 East Hammond Street Dumna/Foothill  
Fresno , CA 93702 Mono  
ledgerrobert@ymail.com  
559-519-1742 - office

Sierra Nevada Native American Coalition  
Lawrence Bill, Interim Chairperson  
P.O. 125 Mono  
Dunlap , CA 93621 Foothill Yokuts  
(559) 338-2354 Choinumni

Choinumni Tribe; Choinumni/Mono  
Lorrie Planas  
2736 Palo Alto  
Clovis , CA 93611 Choinumni  
Mono

Table Mountain Rancheria  
Bob Pennell, Cultural Resources Director  
P.O. Box 410 Yokuts  
Friant , CA 93626-0177  
(559) 325-0351  
(559) 217-9718 - cell  
(559) 325-0394 FAX

**This list is current only as of the date of this document.**

**Distribution of this list does not relieve any person of the statutory responsibility as defined in Section 7050.5 of the Health and Safety Code, Section 5097.94 of the Public Resources Code and Section 5097.98 of the Public Resources Code.**

This list is only applicable for contacting local Native Americans with regard to cultural resources for the proposed SCH#2-13041028; CEQA Notice of Preparation (NOP); draft Environmental Impact Report (DEIR) for the 20-Year Extension of the 2005 Mendota Pool Exchange Agreements; located in the Central Valley Project area; Fresno County, California and adjacent areas.

# Native American Contacts Fresno County April 24, 2013

Dunlap Band of Mono Historical Preservation Soc  
Mandy Marine, Board Chairperson  
P.O. Box 18 Mono  
Dunlap , CA 93621  
mandy\_marine@hotmail.  
com  
559-274-1705

Dumna Wo-Wah Tribal Goverment  
Eric Smith, Cultural Resource Manager  
2216 East Hammond Street Dumna/Foothill  
Fresno , CA 93602 Mono  
nuem2007@yahoo.com  
559-519-1742 - office

Wuksache Indian Tribe/Eshom Valley Band  
Kenneth Woodrow, Chairperson  
1179 Rock Haven Ct. Foothill Yokuts  
Salinas , CA 93906 Mono  
kwood8934@aol.com Wuksache  
831-443-9702

Dumna Wo-Wah Tribal Goverment  
John Ledger, Assistant Cultural Resource Manager  
2216 East Hammond Street Dumna/Foothill  
Fresno , CA 93602 Mono  
ledger17bonnie@yahoo.com  
559-519-1742 - office

Santa Rosa Tachi Rancheria  
Lalo Franco, Cultural Coordinator  
P.O. Box 8 Tachi  
Lemoore , CA 93245 Tache  
(559) 924-1278 - Ext. 5 Yokut  
(559) 924-3583 - FAX

**This list is current only as of the date of this document.**

**Distribution of this list does not relieve any person of the statutory responsibility as defined in Section 7050.5 of the Health and Safety Code, Section 5097.94 of the Public Resources Code and Section 5097.98 of the Public Resources Code.**

This list is only applicable for contacting local Native Americans with regard to cultural resources for the proposed SCH#2-13041028; CEQA Notice of Preparation (NOP); draft Environmental Impact Report (DEIR) for the 20-Year Extension of the 2005 Mendota Pool Exchange Agreements; located in the Central Valley Project area; Fresno County, California and adjacent areas.



## MADERA IRRIGATION DISTRICT

12152 ROAD 28½ • MADERA • CA 93637-9199  
(559) 673-3514 • FAX (559) 673-0564

BOARD OF DIRECTORS  
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GENERAL MANAGER  
THOMAS GRECI

LEGAL COUNSEL  
JOHN P. KINSEY

May 3, 2013

Via Email [cgalloch@westlandswater.org] and United States Mail

Charlotte Gallock, EIT  
Westlands Water District  
P.O. Box 6056  
Fresno, CA 93703

**Re: April 2, 2013, Notice of Preparation of a Draft EIS/EIR for the 20-Year Extension of the 2005 Mendota Pool Exchange Agreements**

Dear Ms. Gallock:

Thank you for providing Madera Irrigation District (“MID”) the opportunity to review the Notice of Preparation (the “NOP”) for the Draft EIS/EIR (the “EIS/EIR”) for the 20-Year Extension of the 2005 Mendota Pool Exchange Agreements (the “Project”). MID offers the following comments on the NOP:

The NOP does not state that the EIS/EIR will consider the potential impacts of the Project on public services. (See CEQA Guidelines, Ex. “G”, § XIII.) An analysis of these impacts should be included in the EIS/EIR. Among other things, the EIS/EIR should confirm that the Project would not adversely affect the water quality or the reliability of water utilized by adjacent irrigation districts such as MID, the infrastructure utilized by those agencies, or the agencies’ costs of service.

The NOP states that under the proposed 20-year extension, “MPG would be limited to pumping a maximum of 400,000 AF of groundwater” over a 20-year period, as opposed to the present 25,000 acre-foot/year limit. The project description should be clarified to address whether there will continue to be a limit on the amount of groundwater that can be extracted (and, if so, what that limit would be), and whether groundwater extraction could exceed the current pumping rate of 25,000 acre-feet/year. If there are no annual pumping limitations, or if pumping could exceed 25,000 acre-feet in any given year, the EIS/EIR should address the impacts of the increased groundwater extraction.

The EIS/EIR should include an analysis of the Project’s impacts on subsidence within the vicinity of the Project. In some areas within or near MID’s service area, subsidence levels have ranged from four to fifteen inches per year. The EIS/EIR should explore options to monitor, and eliminate or reduce the land subsidence rates within the vicinity of the Project.

The EIS/EIR should also include an analysis of the Project’s potential impacts to the San Joaquin River Restoration Program (the “SJRRP”). This includes, but is not limited to,

impacts associated with groundwater pumping from wells near or adjacent to the San Joaquin River, such as the potential to increase seepage from the San Joaquin River.

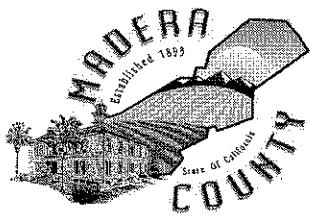
It is MID's understanding that the Project will use the same infrastructure to exchange the pumped groundwater into the San Luis Reservoir that is presently used to recapture Restoration or Interim Flows at Mendota Pool. The EIR should analyze whether and to what extent the Project will affect the quality and/or quantity of the Restoration and/or Interim Flows.

Should you have any questions regarding the above comments, please do not hesitate to contact me at (559) 673-3514.

Sincerely,



Thomas Greci, P.E.  
General Manager



# RESOURCE MANAGEMENT AGENCY

## DEPARTMENT OF ENGINEERING

KEN VANG PE, COUNTY ENGINEER

2037 W. Cleveland Avenue  
Madera, CA 93637-8720  
(559) 675-7817  
FAX (559) 675-7639  
Kheng.vang@madera-county.com

**DATE:** May 1, 2013

**TO:** Charlotte Gallock, EIT  
Westlands Water District  
P.O. Box 6056  
Fresno, CA 93703

**FROM:** Ken Vang P.E., County Engineer

**SUBJECT:** **Notice of Preparation of a Draft Environmental Impact Statement/Environmental Impact Report for the 20-year Extension of the 2005 Mendota Pool Exchange Agreements**

The Environmental Impact Report should evaluate and address the following issues:

- Limits of study areas shall be identified based on areas of potential impacts.
- Impacts to the Madera Subbasin as a result of the increased groundwater pumping by the MPG.
- Reliability and sustainability of CVP water to be exchanged. During drought years allocations are reduced.
- Funding sources and sustainability of groundwater pumping monitoring program. We are concerned that the monitoring program funding will cease if funding is not available.
- Identify monitoring and mitigation measures for effects of subsidence due to groundwater pumping by the MPG.
- Develop new groundwater well construction standards. New groundwater wells should be evaluated, designed and constructed to minimize subsidence in the Madera Subbasin, as a result of the increased groundwater pumping by the MPG.
- Evaluate impacts to the Madera Subbasin for project alternatives, aswell.

Best regards,

A handwritten signature in black ink, appearing to read "Ken Vang".

Ken Vang, P.E.  
County Engineer

# FRIANT

## WATER AUTHORITY

Harvey A. Bailey  
*Chairman of the Board*

Nick Canata  
*Vice Chairman*

Tom Runyon  
*Secretary/Treasurer*

Ronald D. Jacobsma  
*General Manager*

Jennifer T. Buckman  
*General Counsel*

**Member Agencies**  
*Arvin-Edison W.S.D.*  
*Delano-Earlimart I.D.*  
*Exeter I.D.*  
*Fresno I.D.*  
*Ivanhoe I.D.*  
*Kaweah Delta W.C.D.*  
*Kern-Tulare W.D.*  
*Lindmore I.D.*  
*Lindsay-Strathmore I.D.*  
*Lower Tule River I.D.*  
*Madera I.D.*  
*Orange Cove I.D.*  
*Pixley I.D.*  
*Porterville I.D.*  
*Saucelito I.D.*  
*Shafter-Wasco I.D.*  
*Stone Corral I.D.*  
*Tea Pot Dome W.D.*  
*Terra Bella I.D.*  
*Tulare I.D.*

May 3, 2013

VIA ELECTRONIC MAIL

Ms. Charlotte Gallock, EIT  
Westlands Water District  
PO Box 6056  
Fresno, CA 93705  
[cgallock@westlandswater.org](mailto:cgallock@westlandswater.org)

Re: Comments on the Notice of Preparation of a Draft Environmental Impact Statement/Environmental Impact Report for The 20-year Extension of 2005 Mendota Pool Exchange Agreements

Dear Ms. Gallock,

Thank you for the opportunity to comment on the scope of the environmental documentation being prepared to support the 20-year extension of 2005 Mendota Pool Exchange Agreements. We understand the extension would allow for the continued exchange of up to 25,000 AF per year, subject to the constraints in existing Exchange Agreements as well as any mitigation that may arise from this environmental review process.

Our primary concerns regarding the proposed project are related to potential impacts to the San Joaquin River Restoration Program (SJRRP). The environmental review for the proposed action should include an analysis of the potential for groundwater pumping from wells near or adjacent to the San Joaquin River, particularly those located in Farmers Water District, to increase seepage from the River. If pumping groundwater near the river induces greater levels of seepage losses from the river, Reclamation would be obligated under the terms of the SJRRP litigation settlement to acquire water from other sources and release it from Friant Dam to ensure that target flows at the downstream end of Reach 2 are achieved.

*Main Office*

■■■■■ N ■■■■■ r ■■■■■ v ■■■■■ e ■■■■■ e  
■■■■■ d ■■■■■ r ■■■■■ e ■■■■■ e ■■■■■

Phone: 559-562-6305  
Fax: 559-562-3496

*Sacramento Office*

■■■■■ r ■■■■■ e ■■■■■ e ■■■■■  
■■■■■ r ■■■■■ e ■■■■■ e ■■■■■

Phone: 916-346-4165  
Fax: 916-346-3429

May 3, 2013

Page 2 of 2

The environmental review for the proposed action should also include an analysis of whether or to what extent the quality or quantity of water pumped into the Mendota Pool and exchanged into storage in San Luis Reservoir (SLR) will impact the ability of Reclamation to recapture Restoration or Interim Flows at Mendota Pool and exchange the recaptured water into SLR using the same mechanism as is used to exchange the pumped groundwater into SLR storage.

Finally, since Friant Division contractors pay certain costs for the delivery of substitute water supplies to the Exchange Contractors, it is our expectation that the proposed project will not in any way increase the costs or adversely affect the reliability of water delivered to the Exchange Contractors as substitute water supplies under the Exchange Contract. We would expect that the environmental document will include analysis confirming that the project will not have any water supply or socioeconomic impacts related to the Exchange Contract.

If you have any questions regarding these comments, please do not hesitate to contact Steve Ottemoeller at 559-562-6930 or [sottemoeller@friantwater.org](mailto:sottemoeller@friantwater.org).

Sincerely,

Ronald D. Jacobsma  
General Manager

## Main Office

Phone: 559-562-6305  
Fax: 559-562-3496

## Sacramento Office

Phone: 916-346-4165  
Fax: 916-346-3429

33141 E. Lerdo Highway  
Bakersfield, CA 93308-9767



Bus: (661) 399-4456  
Fax: (661) 399-1735

May 01, 2013

**VIA MAIL AND E-MAIL**

Contact: Charlotte Gallock  
Westlands Water District  
3130 N. Fresno Street  
Fresno, CA 93703-6056  
[cgallock@westlandswater.org](mailto:cgallock@westlandswater.org)

Re: Comments on the Notice of Preparation of a Draft Environmental Impact Statement/Environmental Impact Report for the 20-Year Extension of the 2005 Mendota Pool Exchange Agreement

Dear Ms. Gallock:

Paramount Farming Company, as agent for Paramount Land Company LLC and Paramount Pomegranate Orchards LLC (“Paramount”), submits the following comments on the Notice of Preparation of a Draft Environmental Impact Statement/Environmental Impact Report for the 20-Year Extension of the 2005 Mendota Pool Exchange Agreement (“NOP”).

Paramount owns New Columbia Ranch (“NCR”), located on the north side of the San Joaquin River, just upstream from the Mendota Pool and downstream from the historic Whitehouse Gauging Station near the head of Lone Willow Slough. NCR includes portions of, and is adjacent to, the Primary Study area of the Project and Project Location as described in the NOP. Paramount assumed the interest of the Newhall Land and Farming Company in the Agreement for Mendota Pool Transfer Pumping Project dated January 1, 2001 (“Agreement No. 1”) and is a party to a subsequent agreement for Mendota Pool Transfer Pumping Project dated January 1, 2011 (“Agreement No. 2”). Please accept and place into the administrative record the following comments on the NOP.

Paramount appreciates the collaboration to date by the Mendota Pool Group (“MPG”) in developing the scope of analysis to be included in the Environmental Impact Report (“EIR”) and Environmental Impact Statement (“EIS”) for the 20-Year Extension of the 2005 Mendota Pool Exchange Agreements (“20-Year Extension Program”). Analysis included in Agreement No. 1 and Agreement No. 2 as well as the ongoing annual monitoring and reporting specified in the agreements provide useful information for analysis of the 20-Year Extension Program. However, significant changes have occurred in and around the Project Location that must be evaluated in the EIR and EIS for the 20-Year Extension Program to fully analyze the potential impacts of the 20-Year Extension Program and the mitigation necessary to address such impacts. These include but are not limited to; changes in cropping patterns, subsidence, increased

groundwater overdraft, groundwater quality changes and changes in flow patterns of the San Joaquin River. Additionally, changes in ownership necessitate the inclusion of additional landowners in the MPG to incorporate all parties with a share of yield from the “MPG owned and/or project related wells,” as stated in the NOP. For effective and reliable monitoring and reporting inclusion of all landowners within the Primary Study Area of the Project Location is necessary. Such inclusion ensures program limits set in the 20-Year Extension Program are properly accounted for all landowners participating in the exchange of supplies as described in the 20-Year Extension Program.

The 20-Year Extension Program should include a focus on groundwater sustainability throughout the program area and neighboring areas, including incorporation of groundwater recharge to ensure mitigation of third party impacts and a balanced MPG program for the duration of the 20-Year Extension Program.

We appreciate the opportunity to provide comments. Should you have questions, please contact myself or Kimberly Brown.

Sincerely,



Joseph C. MacIlvaine  
President