



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION IX
75 Hawthorne Street
San Francisco, CA 94105

March 4, 2010

Mr. Russ Freeman
Westlands Water District
3130 N. Fresno Street
Fresno, CA 93793-6056

RE: Notice of Preparation of an Environmental Impact Report (EIR) for the Conveyance of Nonproject Groundwater from the Canalside Project using the California Aqueduct

Dear Mr. Freeman:

The U.S. Environmental Protection Agency has reviewed the notice of preparation of an EIR for the proposed project to discharge up to 100,000 acre-feet/year of pumped groundwater to the California Aqueduct to be transported and withdrawn for use elsewhere in the District. EPA focused its review on the water quality elements the EIR will address.

It appears the proposed discharges to the Aqueduct would be subject to NPDES permitting requirements pursuant to the federal Clean Water Act. The District should work with the Central Valley Regional Water Quality Control Board, the State agency responsible for water discharge permitting in the project area, to obtain necessary permits before initiating discharges. Permits will need to be designed to ensure the discharges do not cause or contribute to exceedences of applicable State water quality standards or degradation of designated beneficial uses.

We are concerned that the notice of preparation states the EIR analysis will only evaluate water quality impacts in comparison with drinking water standards. As applicable water quality standards for the Aqueduct were established to protect uses in addition to drinking water supply, the EIR should carefully evaluate project effects with respect to all applicable water quality standards and associated beneficial uses. This information will be necessary to support preparation of permits that ensure full compliance with applicable water quality standards.

Thank you for considering these comments as you proceed with project analysis and development. If you have questions, I can be reached at (415) 972-3464.

Sincerely,

A handwritten signature in black ink that reads "David Smith".

David Smith, Manager
NPDES Permits Office (WTR-5)

Cc: Lonnie Wass, Central Valley RWQCB
Lori Okun, California SWRCB