



ENVIRONMENTAL DEFENSE

finding the ways that work

December 15, 2004

Mr. Joe Thompson
U.S. Bureau of Reclamation
South Central Division
1243 N Street
Fresno, CA 93721

Re: Comments on Draft Environmental Assessment and Draft FONSI for the Proposed Long-Term Contract Renewals in the Delta-Mendota Canal Unit

Dear Mr. Thompson:

Environmental Defense appreciates the opportunity to submit comments regarding the Finding of No Significant Impact in the Draft Environmental Assessment for the Delta-Mendota Canal Unit Long-Term Contract Renewals. After reviewing the documents, we are in substantial agreement with the comments submitted by Friends of Trinity River, et al., on December 14, 2004 ("Comments on Draft Environmental Assessment on Long-Term Contract Renewals in the Delta-Mendota Canal Unit"). In particular, the list below outlines our primary criticisms with the draft assessment and those issues we believe require further attention:

- The DEA/FONSI does not meet NEPA requirements.
- The assessment does not address the issue that the CVP has not met its existing legal obligations, particularly for environmentally beneficial water supplies.
- The assessment does not address potential drainage and other environmental impacts.
- The assessment does not sufficiently address repayment of capital costs.
- In light of these omissions to analyze failures in U.S.B.R. management of the Central Valley Project and more particularly of the Delta-Mendota Canal Unit, it is striking that reasonable alternatives, including renewal with a smaller quantity of water and renewal with a higher price structure, have not been evaluated.

It is very clear that long-term contract renewals should not move forward without taking these issues into account and adjusting contract terms accordingly to comply with applicable laws.

Sincerely,

Thomas J. Graff
Regional Director

Ann H. Hayden
Water Resource Analyst

TJG:ypc