

**Congress of the United States**  
**House of Representatives**  
**Washington, DC 20515**

September 20, 2010

Charles R. Hoppin  
Chair, California State Water Resources Control Board  
1001 I Street  
Sacramento, CA 95814

Dear Chair Hoppin:

We write to inform you of our strong support of your staff's proposal to amend the Central Valley Regional Water Quality Control Board's Basin Plan to revise the selenium control plan for the San Joaquin River. Approval of this amendment will allow an extension of limited discharges from the Grassland Bypass Project and additional time needed to complete the final stages of treatment for the project.

The Grassland Bypass Project is a very successful drainage control program; it is part of the selenium control program of the Central Valley Regional Water Quality Control Board and selenium total maximum daily load program for the San Joaquin River. This has all been accomplished by innovative programs developed by farmers within the drainage area. The agricultural drainage issues in the San Joaquin Valley have been ongoing for over a century and solutions have been elusive. The Grassland Bypass Project is one of the shining examples of proactive management of agricultural drainage. Approval of this extension is crucial to provide an opportunity for the Project to see through to completion further technological advances and improvements in discharges. This program has received ongoing support from Congress, the U.S. Bureau of Reclamation, the State of California and local entities and has been recognized for its innovative and effective approach to drainage control.

This 15-year-old selenium control program has been a resounding success for water quality in the San Joaquin River. The program was developed in the early 1990's by the signing of the first Use Agreement allowing drainage water to be conveyed in to the federal San Luis Drain. This first Use Agreement was developed in collaboration with a wide variety of federal and state agencies including the U.S. Bureau of Reclamation, the U.S. Fish & Wildlife Service, the U.S. Environmental Protection Agency, the California Central Valley Regional Water Quality Control Board, and the California Department of Fish and Game as well as local farmers, municipal water users in the Delta, and active participation by environmental organizations. The program is governed by an Oversight Committee comprised of executives from the Bureau of Reclamation, Environmental Protection Agency, Fish & Wildlife Service, Department of Fish &

Game, and the Central Valley Regional Water Quality Control Board to deal with any problems that might arise.

The Grassland Bypass Project has successfully reduced the amount of drainage water discharged from this area into the San Joaquin River by 77% and a corresponding reduction of selenium and salt by 89% and 77% respectively since the project's inception in 1995. The drainage area that contributes to the Grassland Bypass Project is comprised of 97,000 acres of highly productive land contributing to the economic viability in the state. The economic value of agricultural crops in the area is over \$300 million per year which is a critical component of economic recovery.

Over \$104 million has been spent to implement the current program. The federal government has directly committed \$19 million to this effort through its San Joaquin River Salinity Management Program annual appropriations. Additional federal funds have also contributed indirectly through conservation programs to member districts. The State of California has contributed \$47 million through bond-funded grants and local farmers have contributed \$38 million. Additional time and funds will be necessary to complete the final stage. This investment returns many times over to the federal government and the state and local economy through jobs and taxes.

It has been suggested that the Use Agreement's 10-year extension be reduced to a one or two-year extension to accommodate the San Joaquin River Restoration Program goal of returning salmon to this stretch of the San Joaquin River in 2012. The project, however, is subject to termination at any time if the Oversight Committee determines that it is producing an unacceptable adverse environmental effect or if ongoing obligations for load reductions are not met. In addition, terminating the project in the short term will not guarantee less selenium in the San Joaquin River. In fact, this project is an important management tool for achieving the best possible water quality in both the wildlife refuges and the San Joaquin River.

The 10-year extension is needed to complete the final stage of implementation - treatment and drainage plan for zero discharge - and allow time for the development, financing, and implementation of treatment technology. If the project terminates after 1 or 2 years and the discharge is taken out of the San Luis Drain, it will be devastating for the region's private, state, and federal refuges and for the San Joaquin River. The drain water will continue to flow with or without this plan and with or without irrigation. The absence of this Project would result in unmanageable drain water backing up and making its way into wildlife refuge delivery systems that have been cleaned up by the Grassland Bypass Project. Rainfall events create runoff and floods from Silver Creek; high-selenium local runoff would, absent the Project, flood the Grasslands. There is a drainage conveyance system in place now that has been very successful and protective of the Grasslands, the refuges and the San Joaquin River.

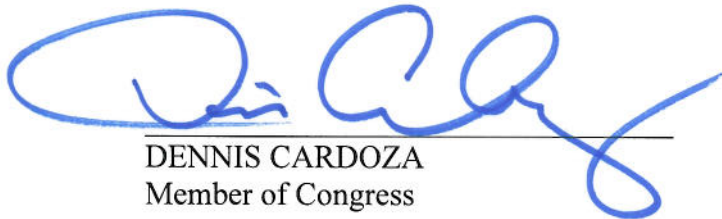
We commend the Grassland Basin drainers for their proactive approach to comply with regulations and address longstanding drainage problems in the San Joaquin River Basin. We support the Basin Plan Amendment which allows for the delay in implementation of the Mud Slough water quality objective until 2019. This project is a win-win for agriculture and the environment by keeping agriculture in production, maintaining jobs, and bolstering the local and




regional economy while also improving the quality of the San Joaquin River and the Sacramento-San Francisco Bay Delta.

Thank you for your consideration and support of the amendment.

Sincerely,



DENNIS CARDOZA  
Member of Congress



JIM COSTA  
Member of Congress

Cc:

Members of the State Water Resources Control Board  
Tom Howard, Executive Director