

Appendix D

Chronology of Authorizing, Planning, and Regulatory Events for Construction of a Valley-wide Drain or a San Luis Drain

Date	Agency or Industry	Event
1950	USBR	Begins Central Valley Project Delta Mendota Service Area water deliveries
1955	USBR	Feasibility report for drainage canal (300 cubic feet per second capacity; 197 miles length) from San Joaquin Valley
1960	Federal Law (Public Law 86-488)	Authorizes San Luis Unit of Central Valley Project and makes provision for constructing interceptor drain to the Bay-Delta.
1960	State of California	Electorate passes Proposition 1, a general bond referendum for the State Water Resources Development System, and which includes bond financing for construction of "facilities for removal of drainage water from the San Joaquin Valley."
1962	USBR	Definite Plan Report for San Luis Unit (includes capacity for other areas)
1965	State of California	Proposes expansion of drainage plans to install valley-wide master drain
1965 to present	US Congress	Includes a rider to Central Valley Project appropriations specifying development of a plan which conforms with state water quality standards as approved by USEPA to minimize any detrimental effects of the San Luis Unit drainage waters
1967	State of California	Declines to participate in valley-wide master drain
1968	USBR	Begin (1) Central Valley Project water deliveries to the San Luis Service Area and (2) construction of San Luis Drain for use by Westlands Water District
1969	Drainage Advisory Group	Issues final report recommending drain to the Delta
1970	USBR and USFWS	Designate Kesterson Reservoir, a regulating reservoir for the San Luis Drain, as a new USFWS National Wildlife Refuge
1972	USBR	Environmental Impact Statement on San Luis Unit filed with Council on Environmental Quality
1975	USBR	Completes 85-mile San Luis Drain to Kesterson Reservoir, 120 miles of collector drains, and 1,200 acre-reservoir; agrees to supplemental Environmental Impact Statement on impacts of San Luis Drain
1975	USBR	Halts construction of remainder of San Luis Drain due to Federal budget restrictions and increasing environmental concerns regarding discharge to the Delta
1975	USBR and state water agencies	Recommend completion of the San Luis Drain to the Bay-Delta
1977	Federal Law (Public Law 95-46)	Authorizes study of problems related to completion of San Luis Drain
1977	USBR	Asks USEPA about requirements for a waste discharge permit for San Luis Drain
1979	USBR and California water agencies	Issues study of alternatives and final report recommending construction of drain; issues First Stage Environmental Impact Report for discharge at Suisun Bay (Chippis Island)
1981	USBR	Begins drainwater flow into Kesterson Reservoir; begins San Luis Special Study to fulfill state requirements for obtaining a permit for discharge of drainage to the Bay-Delta at Chippis Island
1983	USFWS	Advises USBR of bird deformities/deaths at Kesterson National Wildlife Refuge

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1984	USFWS and USGS	Studies show environmental damage from selenium at Kesterson National Wildlife Refuge
1985	Secretary of the USDOJ and California Governor	Establish Federal-State San Joaquin Valley Drainage Program to conduct comprehensive studies to identify magnitude and sources of problem, the toxic effects of selenium on wildlife, and actions needed to resolve these issues
1985	Secretary of the USDOJ	Orders cessation of discharge to Kesterson Reservoir and closure of San Luis Drain; initiates National Irrigation Water Quality Program to study effects of agricultural drainage on refuges across the western United States.
1985	State Water Resources Control Board	Issues order No. WQ85-1 to regulate agricultural drainage to the San Joaquin River
1986	USBR	Closes San Luis Drain; issues Environmental Impact Statement for cleanup alternatives for Kesterson Reservoir
1986	Barcellos Judgment, US District Court	Calls for a Drainage Plan, Service Facilities, and a Drainage Trust Fund
1987	Federal and State Interagency Committee	Issues report of potential out-of-valley areas for disposal, due to environmental groups and coastal communities opposition, future studies limited to in-valley options
1988	USBR as ordered by State of California	Fills and grades Kesterson Reservoir as part of Kesterson Cleanup Program
1990	Federal and State Interagency Committee	Completes Drainage Management Plan for in-valley solutions to drainage problem
1991	Federal and State Interagency Committee	Forms Drainage Implementation Program and signs Memorandum of Understanding to help implement in-valley recommendations; Department of Water Resources is lead agency
1992	USBR	As part of Barcellos Judgment, submits Draft Environmental Impact Statement for San Luis Unit Drainage Program; Environmental Impact Statement suggests in-valley approaches and stated the social and environmental unacceptability of completing a drain precludes further consideration; court rejects Environmental Impact Statement as not complying with judgment
1992	Federal Law 102-575 (CVPIA)	Calls for water allocations for the protection of fish and wildlife; and land retirement in the San Joaquin Valley
1993	US House of Representatives (Subcommittee on Natural Resources)	Oversight Hearing on agricultural drainage issues in the Central Valley including reuse of a portion of the San Luis Drain by Grassland Area Farmers
1993	Porgans, Carter, USFWS and environmental groups	Petition state over adequacy of Environmental Impact Statements for operation of privately owned drainage evaporation ponds where unavoidable bird loss was occurring
1994	Wanger Decision, US District Court	Decides to send the salty water north; calls for initiation of process to obtain a discharge permit for the San Luis Drain to the Bay-Delta
1995	USBR; Contra Costa County and others	Appeals Wanger decision; environmental groups intervene; decision pending
1995-96	USBR and San Luis Delta-Mendota Water Authority	Issues Environmental Assessment for reuse of the San Luis Drain by Grassland subarea; 28-miles of the San Luis Drain reopens to convey drainage to the San Joaquin River
1996	State Water Resources Control Board	State re-emphasizes that valley-wide drain is best technical and feasible for water quality and salt balance in the San Joaquin Valley, but calls for National Pollutant Discharge Elimination System permit

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1997	Department of Water Resources	Starts preparing update of Drainage Management Plan due to non-implementation
1999	Department of Water Resources	Declares Drainage Management Plan to have been unsuccessful
1999	USBR, Department of Water Resources, and State Water Rights Decision 1641	Recommend completion of the San Luis Drain to Bay-Delta or other out-of-valley alternative; call for Memorandum of Understanding to initiate environmental review for consideration of discharge application for the San Luis Drain
1999	US House of Representatives	Field hearing to examine agricultural drainage issues including completing San Luis Drain
2000	Hug, and others, 2000, US Court of Appeals	Reverses previous decision to compel USBR to build a drain to Bay-Delta, but rules USBR has a duty to provide drainage service; drainage plan pending
2000	USBR	Initiates a process for providing drainage service to the San Luis Drain
2000	CALFED	Issues Programmatic Record of Decision for 30-year plan of Bay-Delta restoration and management
2005	USBR	Issues Draft Environmental Impact Statement on the San Luis Drainage Feature Re-Evaluation
2005	USBR	Issues Draft Environmental Impact Statement for renewal of long term San Luis Unit contracts independent of drainage considerations
2006	USBR	Issues Final Environmental Impact Statement for renewal of long term San Luis Unit contracts independent of drainage considerations
2007	USBR	Issues Record of Decision on the San Luis Drainage Feature Re-Evaluation.

Source: US Geological Survey 2006: Table 1; California Water Impact Network.