

DEPARTMENT OF WATER RESOURCES

1416 NINTH STREET, P.O. BOX 942836
SACRAMENTO, CA 94236-0001
(916) 653-5791



June 15, 2020

Mr. Michael Jewell
Chief, Regulatory Division
United States Army Corps of Engineers, Sacramento District
1325 J Street
Sacramento, California 95814

Subject: Additional Information to Support Department of the Army Permit Application
SPK-2019-00899 for Proposed Delta Conveyance Project

On January 15, 2020, the Department of Water Resources (DWR) submitted to the United States Army Corps of Engineers (USACE) an application for a Department of the Army (DA) permit (SPK-2019-00899) pursuant to Section 404 of the Clean Water Act and Section 10 of the Rivers and Harbors Act for the proposed Delta Conveyance Project. At that time, DWR submitted the application to begin the process of coordinating with the USACE on the possible development of a joint Environmental Impact Statement (EIS) under National Environmental Policy Act (NEPA) and Environmental Impact Report (EIR) under California Environmental Quality Act (CEQA). DWR issued the notice of preparation to begin the process for development of an EIR on January 15, 2020. On January 24, 2020, USACE informed DWR by letter that it considered the application to be incomplete and requested that DWR provide additional information. The enclosed DA permit application for the proposed Delta Conveyance Project has been revised from the initial January 15, 2020 submittal to meet USACE requirements for a complete Section 404/Section 10 application.

As mentioned in DWR's January 15, 2020 transmittal letter, DWR is in the early stages of environmental planning and has recently started the process for preparation of an EIR. Because DWR has not identified the exact project it would propose to construct, DWR's initial application to USACE presented two potential corridor options for the proposed project. USACE indicated that the permit application must identify a single proposed project. Therefore, to comply with this direction and for the sole purpose of submitting a complete application to the USACE, DWR has presented the proposed project with a single corridor in its revised application. However, it is important to note that the identification of a single corridor within the proposed project in this application is preliminary and should not be construed as a decision by DWR regarding its preferred project. Rather, DWR will need to identify and fully evaluate both of these corridors as well as a range of alternatives in sufficient detail in compliance with CEQA, and make a final determination regarding the alternative it approves at the close of that process once a sufficient record has been prepared.

Mr. Jewell
June 15, 2020

The CEQA process is at the beginning stages and both corridors, as well as other potential alternatives, will be fully analyzed in the EIR in compliance with CEQA, as well as meeting the requirements of other relevant environmental laws and regulations including Section 404 of the CWA and the Endangered Species Act.

DWR is submitting this application with a single proposed project at this early stage of the process because USACE has indicated that it is a necessary precursor to engaging in NEPA review. By submitting a complete application, DWR understands that the USACE will have the information necessary to initiate the NEPA process. DWR looks forward to coordinating USACE's environmental review process with DWR's CEQA process. This coordination will help to ensure that both environmental review documents are consistent and thorough in their analyses of the proposed Delta Conveyance Project and alternatives.

We appreciate USACE's continued coordination on the proposed Delta Conveyance Project. If you have any questions regarding the updated application information, please contact Kristina Reese at 916-524-2985 or Kristina.Reese@water.ca.gov.

Sincerely,

A handwritten signature in blue ink that reads "Carolyn Buckman". The signature is written in a cursive style with a long horizontal flourish at the end.

Carolyn Buckman,
Assistant Deputy Director,
Department of Water Resources

cc via email:

Michael Nepstad, United States Army Corps of Engineers, Sacramento District
Zachary Simmons, United States Army Corps of Engineers, Sacramento District
Kristina Reese, Department of Water Resources
Kenneth M. Bogdan, Department of Water Resources
Marcus Yee, Department of Water Resources