

DEPARTMENT OF WATER RESOURCES

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



January 15, 2020

Subject: Notification for the Delta Conveyance Project

Dear [Tribal Leader],

This letter serves as an invitation to the [Tribe] (Tribe) to consult with the Department of Water Resources (DWR) on the proposed Delta Conveyance Project (Project). Modernizing Delta conveyance is part of the state's Water Resilience Portfolio, which describes the framework to address California's water challenges and support long-term water resilience and ecosystem health. DWR is committed to working together with your Tribe consistent with its Tribal Engagement Policy and the California Natural Resources Agency's (CNRA) Tribal Consultation Policy.

DWR is the lead agency under the California Environmental Quality Act (CEQA) and is preparing an Environmental Impact Report (EIR) for the proposed Project. DWR is proposing to construct and operate new conveyance facilities in the Delta that would add to the existing State Water Project (SWP) infrastructure. The new facilities would provide an alternate location for diversion of water from the Delta and would be operated in coordination with the existing south Delta pumping facilities. New intake facilities as points of diversion would be located in the north Delta along the Sacramento River between Freeport and the confluence with Sutter Slough. The new conveyance facilities would include a tunnel to convey water from the new intakes to the existing Banks Pumping Plant and potentially Jones Pumping Plant in the south Delta. DWR would operate the proposed north Delta facilities and the existing south Delta facilities in compliance with all state and federal regulatory requirements and would not reduce the ability to meet standards in the Delta to protect biological resources and water quality for beneficial uses.

A Notice of Preparation (NOP) (attached for reference) is being released to initiate the public scoping process in compliance with CEQA. The study area, for purposes of the EIR includes the statutory Delta, areas upstream of the Delta, the South-of-Delta SWP Service Areas, and potentially the South-of-Delta Central Valley Project Service Areas, as shown in Figure 2 of the attached NOP. The proposed Project and the footprint of construction will be solely with the corridors proposed, located within the Delta, as shown in the attached NOP, Figure 1. The proposed Project is within Contra Costa, Sacramento, San Joaquin, and Alameda Counties.

The Federal lead agency has not yet been determined for the proposed Project. When determined, the Federal lead agency will be responsible for complying with Section 106 of the National Historic Preservation Act.

January 15, 2020
Page 2

Cultural Resources work has not been initiated for the project area. Cultural Resources work planned for this project includes, but not limited to, a records search and sacred lands file search.

As part of the cultural resources review of the proposed project under CEQA, we are writing to provide your Tribe with the opportunity to submit any information that you are willing to share concerning cultural resources that may be in close proximity to the proposed project area footprint of construction shown in Figure 1, especially Tribal Cultural Resources as defined in Public Resources Code (PRC) section 21074. DWR understands that the locations of these resources are sensitive and resource locations will not be disclosed in public documents and will be kept confidential as provided for under California Government Code section 6254.10.

DWR is committed to working together with your Tribe to properly account for and manage resources important to the Tribe and, consistent with DWR's Tribal Engagement Policy and CNRA's Tribal Consultation Policy, we welcome any recommendations regarding appropriate management or treatment of resources that occur within the Project area. This notification does not limit the ability of your Tribe to submit information regarding the significance of the Tribal Cultural Resources, the significance of the project's impact on Tribal Cultural Resources, or any appropriate mitigation measures through the general CEQA process (PRC Section 21080.3.2(c)(1)).

If you have any questions or need additional information, you may contact Nadine Small at (916) 376-9758 or by email at Nadine.Small@water.ca.gov. For questions or concerns you may also contact Tribal Policy Advisor Anecita Agustinez directly at (916) 653-8726.

Sincerely,

Carrie Buckman
Environmental Program Manager
Delta Conveyance

Anecita Agustinez
Tribal Policy Advisor

Attachment: Notice of Preparation of the Environmental Impact Report for the Delta Conveyance Project