

DEPARTMENT OF WATER RESOURCES

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January 16, 2015

Mr. William Guthrie
Project Manager
U.S. Army Corps of Engineers, Sacramento Division
1325 J Street
Sacramento, California 95814

Subject: Request for Authorization under a Standard Permit, pursuant to Section 404 of the Clean Water Act and Section 10 of the Rivers and Harbors Act of 1899, for the Emergency Delta Drought Barriers Project

Dear Mr. Guthrie:

The California Department of Water Resources (DWR) is requesting authorization under a Standard Permit, pursuant to Section 404 of the Clean Water Act (CWA) and Section 10 of the Rivers and Harbors Act (RHA) of 1899, for the Emergency Drought Barriers Project (Project) from the U.S. Army Corps of Engineers (USACE). The Project consists of rock barriers placed in three strategic locations (Sutter Slough, Steamboat Slough, and False River) in the Sacramento River-San Joaquin River Delta (Delta) designed to retain freshwater flows into the Delta to repel higher saline water, and to reduce the intrusion of high salinity water from Suisun Bay into the central and south Delta.

DWR initially submitted an application for the Project in March 2014; however, hydrologic conditions within the Delta improved and DWR determined that the Project was not needed in 2014. Consequently, USACE cancelled the March 2014 application. During the March 2014 application process, both federal and state regulatory agencies expressed to DWR the desire to have programmatic agreements or long-term permits established in case another drought emergency occurs. During agency coordination meetings, USACE representatives suggested an approach that would allow DWR to construct the barriers multiple times during a set period. As a result of these meetings, DWR is now requesting authorization from USACE to install the rock barriers up to three times within a 10-year timeframe (2015 through 2024). This multi-year approach is the only significant change to the March 2014 application.

Enclosed is ENG Form 4345 for the Project and supplemental information, which includes five attachments. The supplemental information includes the following attachments:

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- ▶ Attachment A: Project Description
- ▶ Attachment B: Continuation of ENG Form 4345
- ▶ Attachment C: Biological Assessments prepared for U.S. Fish and Wildlife Service and National Marine Fisheries Service
- ▶ Attachment D: Design Drawings
- ▶ Attachment E: Cultural Resources Inventory

DWR is submitting this application package with the understanding that additional material (e.g., CWA Section 404(b)(1) Alternatives Analysis CWA Section 401 application, etc.) will be provided to USACE at a later date.

We look forward to working with you to obtain CWA Section 404 and RHA Section 10 authorization for this significant Project to protect the Delta from impaired water quality. If you have questions, need further information, or DWR can provide assistance with the permitting process, please contact our project manager, Jacob McQuirk, at (916) 653-9883 or Jacob.mcquirk@water.ca.gov.

Sincerely,



Paul A. Marshall, Chief
Bay-Delta Office