

DEPARTMENT OF WATER RESOURCES

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



April 29, 2015

Mr. William Guthrie
Senior Project Manager, Sacramento Office
Regulatory Branch
U.S. Army Corps of Engineers
1325 J Street, Suite 1350
Sacramento, California 95814

RE: Revised Project Description and Biological Assessments, Pursuant to Section 7 of the Endangered Species Act, for the 2015 Emergency Drought Barrier Project

Dear Mr. Guthrie:

The Department of Water Resources (DWR) has requested authorization from the U.S. Army Corps of Engineers (USACE), pursuant to Section 404 of the Clean Water Act (CWA) and Section 10 of the Rivers and Harbors Act (RHA), for the 2015 Emergency Drought Barrier Project (Project) (SPK-2014-00187). As part of the Project, DWR has continued to coordinate with USACE, National Marine Fisheries (NMFS), and U.S. Fish and Wildlife Service (USFWS) to issue an expedited authorization. During the past couple of weeks, DWR has received comments on past versions of the Aquatic Biological Assessment (BA) and Terrestrial BA. Additionally, DWR conducted the pre-construction inspection in which we have found the presence of Giant Garter Snake and levee scour in the project area. DWR has revised the BA's to reflect these new developments and to address issues raised by reviewers. With the revised Project Description and BA's DWR would like to complete emergency procedures for the Sections 404/10 permits and consultation with NMFS and USFWS for this project. The revised BA's and Project Description are enclosed.

Also attached is an updated Table 2 from our previous application package. The changes indicate the updated linear footage of levee toe rock that will remain in place after the barrier is removed. As described in the Project Description, this rock is needed to reinforce erosion along the levee toe prior to installing the sheet pile piping preventer in the levee crown.

We look forward to working with you to obtain CWA Section 404 and RHA Section 10 authorizations 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 me at Jacob.mcquirk@water.ca.gov or (916) 653-9883.

Sincerely,

A handwritten signature in black ink, appearing to read "Jacob McQuirk".

Jacob McQuirk, Project Manager
Emergency Drought Barriers Project

Enclosures

Cc: (see attached list)

Mr. William Guthrie

April 29, 2015

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cc: Kim Squires
Section 7 Coordinator
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Senior Environmental Scientist (Supervisory)
Bay Delta Region
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Oscar Biondi
Project Manager
State Water Resources Control Board
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Sacramento, California 95814

Table 2 Surface Area Filled and Amount of Material Being Discharged into the Waters of the U.S.			
Location	Area (Acres) of Fill	Linear Feet	Volume (Cubic Yards) of Fill
Temporary			
False River	1.90	130*	67,300
Sub-Total	1.90	130	67,300
Permanent			
False River	1.00	450	25,200
Sub-Total	1.00	450	25,200
Total-Temporary and Permanent			
False River	2.90	580	92,500
Total	2.90	580	92,500
Source: DWR and AECOM 2015			

*130 linear feet of temporary fill contained within length of river channel occupied by 450 linear feet of permanent levee toe rock fill.