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SPK-2019-00899, Public Notice of Public Review of the Draft Environmental Impact Statement (DEIS) for the Delta Conveyance Project, Sacramento, San Joaquin, Contra Costa, and Alameda Counties, CA

Spk.usace.army.mil, 12/19/22

Public Notice:

Comment Period: December 16, 2022 – February 14, 2023

SUBJECT: The public draft Environmental Impact Statement (Draft EIS) for the Delta Conveyance project is available for public review and comment. This notice is to inform interested parties of the availability of the document and to solicit comments on the project.

The Notice of Availability and the Draft EIS are available on our website at <https://www.spk.usace.army.mil/Missions/Regulatory/Delta-Conveyance/>.

Electronic copies are also available on discs at the following local libraries, Franklin Community Library, 10055 Franklin High Rd, Elk Grove; Courtland Community Library, 170 Primasing Ave, Courtland; Walnut Grove Library, 14177 Market St, Walnut Grove; Isleton Library, 412 Union St., Isleton; Mountain House Branch Library, 201 E Main St, Mountain House; Thornton Branch Library, 26341 N. Thornton Rd, Thornton; Brentwood Library, 104 Oak St, Brentwood; and Oakley Library, 1050 Neroly Rd, Oakley.

The U.S. Army Corps of Engineers, Sacramento District, is the lead agency under the National Environmental Policy Act (NEPA), Cooperating Federal agencies include the U.S. Fish and Wildlife Service, National Marine Fisheries Service, U.S. Environmental Protection Agency, and U.S. Bureau of Reclamation.

AUTHORITY: The proposed action would require permission/authorization from the Corps to alter the Federal Project (levees) under Section 14 of the Rivers and Harbors Act (Section 408) (33 U.S.C. 408), to place structures and conduct work in or affecting navigable waters of the United States under Section 10 of the Rivers and Harbors Act (33 U.S.C. 403), and to discharge fill material into waters of the United States under Section 404 of the Clean Water Act (33 U.S.C. 1344). The proposed project would also require a real estate out grant from the Corps in order to construct the project under the Stockton Deep Water Ship Channel (a federal navigation project).



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REQUESTER/APPLICANT: California Department of Water Resources, Attn: Ms. Carolyn Buckman, 901 P Street, Room 432, Sacramento, CA, 94236-0001

LOCATION: The proposed project is located in the Sacramento-San Joaquin Delta within Sacramento, San Joaquin, Contra Costa, and Alameda Counties. The new intake facilities would be located along the east bank of the Sacramento River between the communities of Hood and Courtland. The new conveyance facilities would be located within a tunnel corridor east of the Delta that would extend 45 miles from the new intakes on the Sacramento River to the Bethany Reservoir pumping plant surge basin. An aqueduct would extend approximately 2.5 miles from the pumping plant to the new discharge structure at the Bethany Reservoir.

PROJECT DESCRIPTION: The applicant is proposing to construct new State Water Project water diversion and conveyance facilities in the Delta consisting of two intake facilities on the Sacramento River, a 45-mile-long tunnel section, a pumping plant and surge basin south of Clifton Court Forebay, and a 2.5-mile aqueduct to a new discharge facility at Bethany Reservoir. The proposed project would result in permanent impacts to approximately 12.61 acres of wetlands and 6.40 acres of other waters, and temporary impacts to approximately 15.55 acres of wetlands and 6.41 acres of other waters. Based on the available information, the overall project purpose is to improve diversion and conveyance facilities in the Delta to ensure the reliability of SWP water deliveries south of the Delta.

The Draft EIS analyzes the environmental effects of construction of the entire project and maintenance of the new portions of the levee system. Potentially significant issues analyzed in depth include aesthetics and visual resources; agricultural resources; air quality; biological resources (fisheries and aquatic organisms, vegetation and wildlife, and wetlands and waters); climate change, cultural resources; environmental justice; flood protection; geology, soils, and paleontological resources; groundwater; hazards and hazardous materials; land use; navigation; noise; recreation; socioeconomic s and public health; surface water; transportation; public services, utilities and energy; water quality; and water supply. The applicant's preferred alternative would result in up to approximately 19.01 acres of permanent impacts and approximately 21.96 acres of temporary impacts to waters of the U.S.

ADDITIONAL INFORMATION:

Public Meeting. Three public meetings to receive comments from the public on the project and the draft document will be held virtually on Tuesday, January 10, 2023, from 9 a.m. to 11 a.m., Thursday, January 12, 2023, from 5:30 p.m. to 7:30 p.m., and Wednesday, January 18, 2023, from 12 p.m. to 2 p.m. Affected Federal, State, regional, and local agencies, Native American Tribes, other interested private organizations, and the general public are invited to participate.



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Environmental Setting. The proposed project is within the Sacramento-San Joaquin Delta, a state-wide resource for recreation, water supply, cultural and historical resources, agriculture, and fish and wildlife habitat. The Delta sustains distinctive geographical and cultural characteristics and is home to extensive infrastructure of statewide importance, such as aqueducts, natural gas pipelines, and electricity transmission lines; railroads, commercial navigation (ports and shipping channels); recreational navigation (marinas, docks, launch ramps); agricultural production and distribution; wildlife refuges; public and private levee systems; and highways.

Alternatives. Six project alternatives, including the no action alternative and the Applicant's preferred alternative are described in Chapter 2 and evaluated in Chapter 3 of the Draft EIS in accordance with NEPA (33 CFR part 230 and 33 CFR part 325, Appendix B). See the attached figures for a depiction of the proposed alternatives.

OTHER GOVERNMENTAL AUTHORIZATIONS: Water quality certification or a waiver, as required under Section 401 of the Clean Water Act from the California State Water Resources Control Board is required for this project.

HISTORIC PROPERTIES: The Corps has initiated consultation with the State Historic Preservation Officer and with Native American Tribes under Section 106 of the National Historic Preservation Act. The current efforts to identify and analyze potential effects to cultural resources are identified in Chapter 3.7 of the Draft EIS.

ENDANGERED SPECIES: The proposed activity may affect Federally-listed endangered or threatened species and their critical habitat. The Corps is currently coordinating with the applicant, the U.S. Fish and Wildlife Service, and the National Marine Fisheries Service. Formal consultation will be initiated pursuant to Section 7 of the Endangered Species Act and completed prior to issuing a Record of Decision on the Final EIS.

ESSENTIAL FISH HABITAT: The proposed project may adversely affect Essential Fish Habitat. The Corps will initiate consultation with the National Marine Fisheries Service along with Section 7 consultation, pursuant to the Magnuson-Stevens Fishery Conservation and Management Act. Consultation will be completed prior to issuing a Record of Decision on the Final EIS.

The above determinations are based on information provided by the applicant and our preliminary review.

SUBMITTING COMMENTS: Written comments, referencing Public Notice SPK-2019-00899 must be submitted to the office listed below on or before **February 14, 2023**

Zachary Simmons, Project Manager
US Army Corps of Engineers, Sacramento District
Email: DLL-DCP-EIS@usace.army.mil

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