



**US Army Corps  
of Engineers**

Sacramento District  
650 Capital Mall  
Sacramento, CA 95814

# Public Notice

Public Notice No. 5820A  
Amended

Date: 13 October 1981

In Reply Refer to: SPKCO-O

Comments Due by:

## TO WHOM IT MAY CONCERN:

**Subject:** Suspension of EIS preparation and permit processing for the application (No. 5820A) to operate four additional pumps at the Delta Pumping Plant.

**Applicant:** State of California, Department of Water Resources (DWR), P.O. Box 388, Sacramento, California 95802.

The California Department of Water Resources (DWR) plans to limit the operation of the expanded pumping plant such that daily diversions into Clifton Court Forebay would not exceed 13,870 acre-feet and three day average diversions would not exceed 13,250 acre-feet. These amounts are based on the historical maximum diversions for the existing Delta Pumping Plant complex.

The existing Delta Pumping Plant, including its maximum operation, is covered by the nationwide permit for work completed before December 1968. Operation of the expanded facility such that future diversions into the forebay do not exceed the historical maximum one-day and three-day diversion rates would have no increased effect on navigable capacity of the Delta waterways. Therefore no additional permit will be required under Section 10 of the River and Harbor Act of 1899 provided that the historical maximum diversion rates are not exceeded.

In addition to the operational limits described above, DWR plans to increase diversions by one-third of the San Joaquin River flow at Vernalis during the period from mid-December to mid-March when the flow exceeds 1000 cubic feet per second. Analysis of this proposed operation, using mathematical models of the Delta, shows that there would be no additional reduction in water levels at Clifton Court Ferry because any increased drawdown would be off-set by higher stages caused by increased San Joaquin River flows. Also, analysis shows that the flow direction in the channels near the forebay will not be substantially affected by this operation.


We have concluded, therefore, that diverting one-third of the flow at Vernalis between mid-December and mid-March when flows exceed 1000 cfs would have no effect on navigable capacity, and no Section 10 permit is required for this operation.

Because the proposed operation does not require a Department of Army permit, no EIS will be prepared and the Corps will not participate in a joint EIS/EIR process with the California DWR. DWR, however, is continuing to prepare an EIR under the California Environmental Quality Act (CEQA). Permit processing and EIS preparation may be resumed if DWR decides to operate the Delta pumping plant differently from the operation described in this notice.

If you have any questions concerning this notice please call Mr. Tom Coe of our Regulatory Section (916) 440-2541, FTS 448-2541.

Attachment to  
USACE

Comment letter  
on DEIR

  
PAUL F. KAVANAUGH  
Colonel, CE  
Commander and District Engineer