Public Notice

US Army Corps of Engineers

Sacramento District
1325 J Street
Sacramento, CA 95814-2922

Public Notice Number: 200000696
Date: December 22, 2000
Comments Due: January 20, 2001

In reply, please refer to the Public Notice Number

TO WHOM IT MAY CONCERN:

SUBJECT: Application for a Department of the Army permit under authority of Section 10 of the Rivers and Harbors Act and Section 404 of the Clean Water Act to construct four temporary rock barriers in the south delta for the next 7 years, as shown in the attached drawings.

APPLICANT: Katherine F. Kelly
State of California Department of Water Resources
Chief, Office of SWP Planning
P.O. Box 942836
Sacramento, California 94236-0001

LOCATION: The four separate temporary barriers are proposed at the following locations:

1) Head of Old River (HOR) barrier is located between Upper Roberts Island and Stewart Tract at the confluence of the San Joaquin River, within Section 32, Township 1 South, Range 6 East, M.D.B. & M., San Joaquin County, California.

2) Middle River (MR) barrier is located near Victoria Canal, about 0.5 miles south of the confluence of Middle River, Trapper Slough, and North Canal, between Middle Roberts Island and Union Island, in Section 36, Township 1 North, Range 4 East, M.D.B. & M., San Joaquin County, California.

3) Old River at Tracy (ORT) barrier is located near the Tracy Pumping Plant, approximately 0.5 miles east of the Delta Mendota Canal (DMC), between Fabian Tract and the mainland, in Section 33, Township 1 South, Range 4 East, M.D.B. & M., San Joaquin County, California.

4) Grant Line Canal (GLC) barrier is located 420 feet east of the Tracy Boulevard Bridge, between Union Island and Fabian Tract, in Section 29, Township 1 South, Range 5 East, M.D.B. & M., San Joaquin County, California.

PURPOSE: The applicant has stated the project purpose is to protect San Joaquin salmon migrating through the Delta and provide an adequate agricultural water supply in terms of quantity, quality, and channel water levels to meet the reasonable and beneficial needs of water users in the South Delta Water Agency (SDWA).

PROJECT DESCRIPTION:

The project consists of constructing four separate temporary rock barriers in the south delta during the 2001 through 2007 irrigation seasons. All of the barriers would be composed of rock which is clean, hard, dense, durable, and free from cracks, seams, and other defects that could deteriorate from natural causes. The barriers would be installed and removed using an excavator and a barge or truck-mounted crane.

The applicant proposes to install the HOR barrier during the spring and the fall. This barrier is proposed to improve migration conditions in the Delta for chinook salmon smolts and adults by preventing fish from going down Old River toward state and federal water export facilities during their migration through the San Joaquin River system. The spring barrier was first installed in April 1992. It would be installed by April 15 and breached by May 16 of each year. This barrier would have six 48-inch operable culverts and a 75-foot clay-filled notch at an elevation of 6.0 feet Mean Sea Level (MSL). The spring barrier would be approximately 225 feet long, 85 feet wide at the base, have a crest elevation of 10 feet MSL, and would be composed of approximately 12,500 tons of rock.

The HOR fall barrier would be installed October 1 and breached by November 30 of each year. This barrier would have six 48-inch operable culverts and a 20-foot notch at an elevation of 0.0 feet MSL. This barrier would be approximately 200-feet long, 55-feet wide at the base, have a crest elevation of 4.0 feet MSL, and would be composed of approximately 7,500 tons of rock.

The MR barrier is proposed to be located near Victoria Canal. It has been installed each year since 1987 and has been effective in raising water levels upstream of the barrier. This barrier would be installed on March 1 and would be removed by November 30. The barrier would have six culverts with flap gates on the upstream end to regulate flows. This barrier would be 270 feet long and 50 feet wide at the base. There would be a 140 foot notch in the center of the barrier constructed to an elevation of 1.0 foot MSL, with the remaining abutments at 3.0 feet MSL. The abutments and culverts would remain in place year-round.

The ORT barrier has been constructed annually since 1991. This barrier has proven to be effective in raising water levels upstream of the barrier. The barrier would be installed and removed at the same times as the Middle River Barrier. The barrier would have nine 48-inch culverts with flap gates on the upstream end to regulate flows. The barrier would be approximately 250 long and 60 feet wide at the base constructed to an elevation of 4.0 feet MSL. There would be a 75-foot notch in the center constructed to an elevation of 2.0 feet MSL. This barrier would have boat portage facilities to allow boat traffic to pass. The portage would consist of a boat ramp with docks on each side of the barrier. A four-wheel-drive vehicle with a universal trailer would transport boats up to 25 feet long.

The GLC barrier has been constructed annually since 1996. This barrier has proved to be effective in raising water levels upstream of the barrier. The barrier would be installed at the same time as the Middle River and Old River near Tracy barriers, however, the culvert flap gates would be tied open from April 16 to May 15 and October 1 to November 30. The barrier would have six 48-inch culverts, is 300 feet long, 140 feet wide at the base and constructed to an elevation of 3.0 feet MSL. This barrier would have a 140 foot wide notch constructed at an elevation of 1.0 foot MSL. The flap gates would be tied open and the weir elevation may be altered during the concurrent operation of the Head of Old River barrier. This is proposed to provide sufficient circulation to avoid accumulation of salt in Grant Line Canal and upper Old River, and to prevent adverse water quality impacts relative to the dispersion and flushing of effluent from the Tracy Waste Water Treatment Plant.

ADDITIONAL INFORMATION:

On February 13, 1998, the Corps issued public notice 199600027/199800015 stating that the HOR Barrier would be administratively separated from the three agricultural barriers. These barriers could be evaluated as separate projects under separate Department of the Army permits.

All four of the barriers are within designated critical habitat for federally listed fish species. This project may affect the delta smelt (Hypomesus transpacificus), Sacramento splittail (Pogonichthys macrolepidotus), Sacramento River winter-run chinook salmon (Oncorhynchus tshawytscha), Central Valley spring-run chinook salmon, and the Central Valley steelhead (Oncorhynchus mykiss) (Oncorhynchus tshawytscha). On December 4, 2000, the Corps initiated consultation for the above species and their designated critical habitat with the U.S. Fish and Wildlife Service and the National Marine Fisheries Service under Section 7 of the Endangered Species Act. The District Engineer has made these determinations based on information provided by the applicant and on the Corps' preliminary investigation.

Interested parties are invited to submit written comments on or before **January 20, 2001**. Any person may request, in writing, within the comment period specified in this notice that a public hearing be held to consider this application. Requests for public hearings shall state, with particularity, the reasons for holding a public hearing.

The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit which reasonably may be expected to accrue from the proposal must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, cultural values, fish and wildlife values, flood hazards, flood plain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, consideration of property ownership, and in general, the needs and welfare of the people.

The Corps of Engineers is soliciting comments from the public; Federal, state, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

If additional information is required, please contact Katherine Kelly with the State of California, Department of Water Resources, telephone (916)653-1099, or Nancy Haley, at the letterhead address, telephone (916) 557-7772.

Michael J. Walsh
Colonel, Corps of Engineers
District Engineer

Enclosures: 10 Drawings