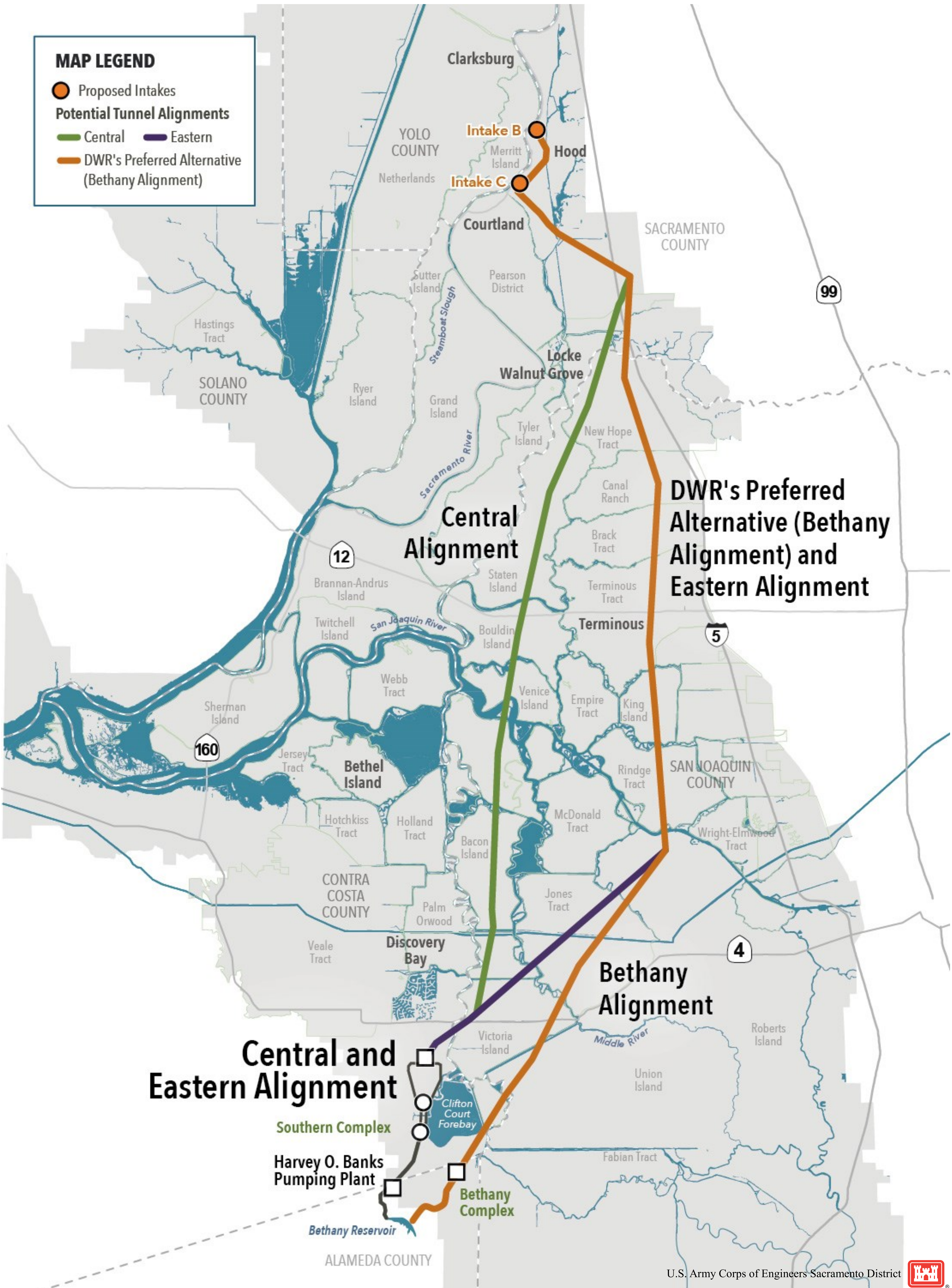
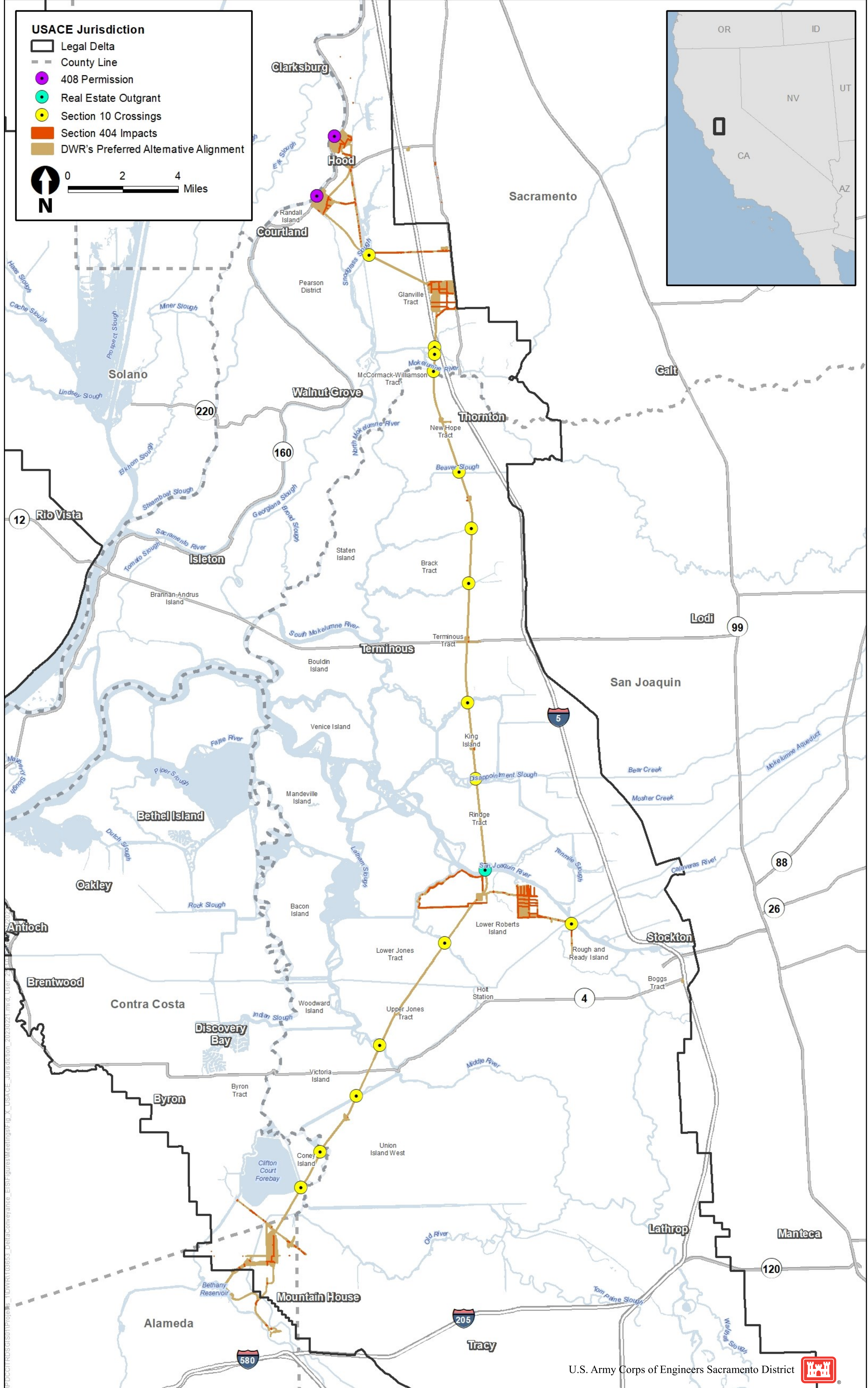


# Potential Tunnel Alignments



**USACE Jurisdiction**

- Legal Delta
- County Line
- 408 Permission
- Real Estate Outgrant
- Section 10 Crossings
- Section 404 Impacts
- DWR's Preferred Alternative Alignment



# Why is the U.S. Army Corps of Engineers preparing an Environmental Impact Statement for the Delta Conveyance Project?

- DWR has applied for a permit from USACE.
- USACE is neither a proponent nor opponent of projects.
- USACE is required to conduct an independent review of the application from DWR.
- Under NEPA, USACE must assess the environmental effects of the proposed federal action (issue or deny a permit/permission for the proposed action).
- USACE is a regulatory agency required to review permit requests.



# DWR's Preferred Alternative

- Divert up to 6,000 cfs of water from two new intake facilities on the Sacramento River near Hood and Courtland.
- Transport water through a single tunnel on the Bethany Alignment to a new pumping plant in the south Delta for conveyance via a pipeline aqueduct to existing State Water Project export facilities at Bethany Reservoir.

## Alternatives 1, 2b, 3 and 4b

Convey water in a single tunnel to a new Southern Forebay on Byron Tract, and from the Southern Forebay to existing State Water Project export facilities.

- **Alternative 1:** Divert up to 6,000 cfs of water from 2 new intake facilities on the Central Alignment
- **Alternative 2b:** Divert up to 3,000 cfs of water from 1 new intake facility on the Central Alignment
- **Alternative 3:** Divert up to 6,000 cfs of water from 2 new intake facilities on the Eastern Alignment
- **Alternative 4b:** Divert up to 3,000 cfs of water from 1 new intake facility on the Eastern Alignment



# Regulatory Permitting Process

**Determine Location and Jurisdiction  
of Waters of the U.S.**

**Permit Application**

**National Environmental Policy Act**

— Current Step

**Compliance with Other Laws**

- Endangered Species Act
- National Historic Preservation Act
- Water Quality Certification

**Standard Permit**

- Public comments
- Alternatives analysis – Sec 404(b)(1)
  - Public interest review
- NEPA / Decision Document

**Permit Decision**



# Environmental Impact Statement Process

## Decision to Prepare EIS

The **Decision to Prepare Environmental Impact State (EIS)** was provided to the applicant in a letter dated **June 26, 2020**.

## Notice of Intent

The **Notice of Intent** was published in the Federal Register on **August 20, 2020**.

## Scoping Process

The purpose of **scoping** is to obtain information from interested parties, tribes, and the public in order to determine the range of actions, alternatives, and impacts to be considered in the EIS. Scoping was conducted **August 20, 2020 to October 20, 2020**.

## Draft EIS

The **Draft EIS** was published in the Federal Register on **December 16, 2022**.

## Public Review of Draft EIS

The **Draft EIS** is available for public review until **March 16, 2023**. The public is invited to comment on issues of concern. USACE is holding virtual and in-person public meetings.

— Current Step —

## Final EIS

The **Final EIS** will be prepared and published. The Final EIS will include responses to comments submitted on the Draft EIS and changes made between the Draft and Final EIS.

## Record of Decision

The **Record of Decision** summarizes the lead Federal agency decision on the Proposed Action. A Record of Decision may not be signed until at least 30 days after publication of the Final EIS.



# Delta Conveyance Project

## Purpose, Needs and Objectives

### **Purpose:**

- To improve diversion and conveyance facilities in the Delta to ensure the reliability of State Water Project (SWP) water deliveries south of the Delta.

### **Needs and Objectives:**

- To help address anticipated rising sea levels and other reasonably foreseeable consequences of climate change and extreme weather events.
- To minimize the potential for public health and safety effects from reduced quantity and quality of SWP water deliveries, and potentially Central Valley Project (CVP) water deliveries, south of the Delta as a result of a major earthquake that could cause breaching of Delta levees and the inundation of brackish water into the areas where existing SWP and CVP pumping plants operate in the southern Delta.
- To protect the ability of the SWP, and potentially CVP, to deliver water when hydrologic conditions result in the availability of sufficient amounts, consistent with the requirements of state and federal law, including the California and federal Endangered Species Acts and the Delta Reform Act, as well as the terms and conditions of water delivery contracts and other existing applicable agreements.
- To provide operational flexibility for improving aquatic conditions in the Delta and better manage risks of further regulatory constraints on project operations.

# Potentially Significant Environmental Impacts of the Delta Conveyance Project

- **Aesthetic and Visual Resources** – Scenic vistas
- **Agricultural Resources** – Conversion of important farmland
- **Air Quality** – Generation of emissions
- **Cultural Resources** – Historic properties and archaeological resources
- **Noise** – Increase in ambient noise levels
- **Environmental Justice** – Aesthetic and visual resources, agricultural resources, air quality, cultural resources, and noise

## Mitigation

The following measures are included as part of the action alternatives and are analyzed in Chapter 3 as well as described in Appendix C1, C2, and C3 of the Draft EIS.

### Environmental Commitments and Best Management Practices

- Incorporated into project design and construction
- Well-established practices and requirements incorporated into construction practices

### Compensatory Mitigation

- Addresses effects on habitat of special-status species
- Habitat restoration on Bouldin Island and state-owned properties in Sacramento County west of Interstate 5
- Use of existing or proposed mitigation banks
- Mitigation framework to deliver future compensatory mitigation actions

### Mitigation Measures

- Reduce environmental effects after application of environmental commitments, best management practices, and compensatory mitigation
- Part of the proposed action
- intended to avoid, minimize, and reduce effects of the proposed action





# USACE's Authority

- **The scope of the Draft EIS is limited to only those aspects of the proposed project that are within USACE's authority, including actions requiring authorization under:**
  - Section 404 of the Clean Water Act for the discharge of dredged or fill materials into water of the United States.
  - Section 10 of the Rivers and Harbors Act for work in or under navigable waters of the United States.
  - Section 14 of the Rivers and Harbors Act (referred to as "Section 408") for the alteration of federal levees to construct of the proposed intakes.
  - A real estate outgrant to cross under the Stockton Deep Water Ship Channel.
- **USACE's scope is limited to the construction of the proposed project and maintenance of the modifications to the Sacramento River Flood Control Project.**
- **USACE will decide whether or not to issue authorizations once the review process is complete.**
- **Operation of the completed project falls under the operation of the State Water Project and is not subject to USACE's authority.**

