To: CN=Karen Schwinn/OU=R9/O=USEPA/C=US@EPA[]
Cc: []
From: CN=Tom Hagler/OU=R9/O=USEPA/C=US
Sent: Tue 12/27/2011 6:30:12 PM
Subject: Fw: Concurrence on 404 Purpose statements (UNCLASSIFIED)

Here's the Corps concurrence and the incoming from DWR.

Upon reading this one more time, a different option would be to send out an email including the language from the MOU itself as to what constitutes "Checkpoint A," and then note that we don't really have a basic and overall project purpose for the initial projects, as called for in the MOU.

(No one had the MOU in front of them when we had that quick call last week).

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Tom Hagler
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San Francisco, California 94105-3901
Phone: (415) 972-3945
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----- Forwarded by Tom Hagler/R9/USEPA/US on 12/27/2011 10:27 AM -----

From: "Nepstad, Michael G SPK" <Michael.G.Nepstad@usace.army.mil>
To: "Enos, Cassandra" <cenos@water.ca.gov>, Tom Hagler/R9/USEPA/US@EPA
Cc: "Hoffman-Floerke, Dale" <dalehf@water.ca.gov>, Marc Ebbin <mebbin@emsllp.com>, Erin Foresman/R9/USEPA/US@EPA, "Jewell, Michael S SPK" <Michael.S.Jewell@usace.army.mil>, "Robershotte, Paul J SPD" <Paul.J.Robershotte@usace.army.mil>, "Crothers, Cathy" <crothers@water.ca.gov>, "Morrow, Michelle M" <mmmorrow@water.ca.gov>
Date: 12/22/2011 05:05 PM
Subject: RE: Concurrence on 404 Purpose statements (UNCLASSIFIED)

Classification: UNCLASSIFIED
Caveats: NONE

The Corps has reviewed the attached MOU Checkpoint A - Basic and Overall Purpose for the Entire BDCP, and hereby AGREES, in accordance with the draft Memorandum of
Understanding on the Integration Process for the Bay Delta Conservation Plan, these statements are acceptable and consistent with USACE regulatory procedures under Section 404 of the Clean Water Act.

Basic and Overall Project Purpose Statement Pursuant to section 404 of the clean water act

Basic Purpose

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The restoration and enhancement of ecological functions, including aquatic habitat restoration; and improvements to the water conveyance infrastructure and the supply and reliability of water deliveries conveyed.

Overall Project Purpose

To implement the Bay Delta Conservation Plan (BDCP), which has been designed to achieve the co-equal goals of providing for the conservation and management of aquatic and terrestrial species, including the restoration and enhancement of ecological functions in the Delta, and improving current water supplies and the reliability of delivery of water supplies conveyed through the State Water Project (SWP) and the Central Valley Project (CVP). To accomplish these goals, the BDCP sets out a comprehensive, integrated conservation strategy that involves: 1) substantial modifications and improvements to SWP and CVP water conveyance facilities in the Delta and vicinity, including the potential addition of new points of diversion in the north Delta and other facilities to convey water around the Delta; 2) operational changes to the SWP and CVP; 3) extensive protection and restoration of physical habitat, including actions to expand the extent and quality of intertidal, floodplain and other aquatic habitats in the Delta and vicinity; and 4) actions to address other stressors that adversely affect covered species. The BDCP will achieve these goals in a manner that meets the requirements of applicable federal and state laws, including the Endangered Species and Clean Water acts, and in accord with the Sacramento-San Joaquin Delta Reform Act of 2009.

Michael G. Nepstad
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* We want your feedback! Take the survey:
http://per2.nwp.usace.army.mil/survey.html

* Need information on the Regulatory Program? Visit our website:
http://www.spk.usace.army.mil/organizations/cespk-co/regulatory/index.html

* Facebook: www.facebook.com/sacramentodistrict

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* Twitter: www.twitter.com/USACESacramento

-----Original Message-----
From: Enos, Cassandra [mailto:cenos@water.ca.gov]
Sent: Thursday, December 22, 2011 1:59 PM
To: Hagler.Tom@epamail.epa.gov; Nepstad, Michael G SPK
Cc: Hoffman-Floerke, Dale; Marc Ebbin; Foresman.Erin@epamail.epa.gov; Jewell, Michael S SPK; Robershotte, Paul J SPD; Crothers, Cathy; Morrow, Michelle M
Subject: Concurrence on 404 Purpose statements

Mike and Tom - Thanks for meeting today to discuss the BDCP CWA 404 purpose statements. Attached (and below) is the final language we agreed upon at the meeting. Please provide an email concurrence that these purpose

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statements are acceptable to your respective agencies. If you have any questions I will be available today and tomorrow morning then off until December 28th.

Thank you and have a happy holiday! Cassandra

Basic and Overall Project Purpose Statement Pursuant to section 404 of the clean water act

Basic Purpose

The restoration and enhancement of ecological functions, including aquatic habitat restoration; and improvements to the water conveyance infrastructure and the supply and reliability of water deliveries conveyed.

Overall Project Purpose

To implement the Bay Delta Conservation Plan (BDCP), which has been designed to achieve the co-equal goals of providing for the conservation and management of aquatic and terrestrial species, including the restoration and enhancement of ecological functions in the Delta, and improving current water supplies and the reliability of delivery of water supplies conveyed through the State Water Project (SWP) and the Central Valley Project (CVP). To accomplish these goals, the BDCP sets out a comprehensive, integrated conservation strategy that involves: 1) substantial modifications and improvements to SWP and CVP water conveyance facilities in the Delta and vicinity, including the potential addition of new points of diversion in the north Delta and other facilities to convey water around the Delta; 2) operational changes to the SWP and CVP; 3) extensive protection and restoration of physical habitat, including actions to expand the extent and quality of intertidal, floodplain and other aquatic habitats in the Delta and vicinity; and 4) actions to address other stressors that adversely affect covered species. The BDCP will achieve these goals in a manner that meets the requirements of applicable federal and state laws, including the Endangered Species and Clean Water acts, and in accord with the Sacramento-San Joaquin Delta Reform Act of 2009.

action 1 - water operations and conveyance Infrastructure

The proposed action is the implementation of the Water Operations and Conveyance Conservation Measures component of the Bay Delta Conservation Plan. The water operations and conveyance conservations measures are designed to allow greater flexibility in balancing the needs of the Sacramento-San Joaquin Delta estuary (Delta) with reliable water supply. Specifically, actions include modifications to the State Water Project and Central Valley Project conveyance facilities, including the addition of new points of diversion in the north Delta, and other facilities to convey water around the Delta. These water conveyance measures will align water operations in the Delta to better reflect seasonal flow patterns, reduce the physical impact of a southern Delta diversion point, and protect fish with state of the art fish screens.

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Cassandra Enos-Nobriga

Program Manager

Division of Environmental Services

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Classification: UNCLASSIFIED
Caveats: NONE

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