

From: McQuirk, Jacob@DWR <Jacob.McQuirk@water.ca.gov>  
To: Herrick, John @aol.com <jherrlaw@aol.com>  
Subject: RE: Change Order - Jones Pumping Plant - CORRECTION  
Date: Mon, Nov 2, 2015 11:25 am

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Hi John,

I will bring this up to our operators, and please let me know if your members have any water level issues. On the bright side, yes there is one, rain. I noticed Vernalis flows are currently above the projected pulse peak. We are scheduled to open the HORB flap gates on Wednesday.

Thanks,

Jacob

Jacob McQuirk  
Supervising Engineer  
DWR|Bay-Delta Office  
office: 916-653-9883  
mobile: 916-524-6645

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From: Jherrlaw@aol.com [mailto:Jherrlaw@aol.com]  
Sent: Monday, November 02, 2015 9:16 AM  
To: McQuirk, Jacob@DWR  
Subject: Fwd: Change Order - Jones Pumping Plant - CORRECTION

This sort of thing makes me very nervous given the partially backwards barrier removal schedule. The operators MUST be aware that decisions on increased exports cannot be done in a vacuum. We are supposed to prevent low water levels, not wring our hands after they are caused. Higher than normal fall/winter diversions should be expected in the southern Delta due to drought. SWRCB just lifted curtailment of appropriative with priority up to 1927, meaning we should expect local diversions to increase. Can the operators discuss this without me screaming at them? JOHN

JOHN HERRICK, Esq.  
4255 Pacific Avenue, Suite 2  
Stockton, CA 95207  
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From: pmanza@usbr.gov  
To: Craig Anderson@fws.gov, LDAnderson@usbr.gov, PArroyave@usbr.gov, Aondrea Bartoo@fws.gov, tboardman@apex.net, IBR2CVOD400@usbr.gov, IBR2CVOD650@usbr.gov, IBR2MPRDALLPAO@usbr.gov, BBridges@usbr.gov, kbuelna@westlandswater.org, andychu@water.ca.gov, bgiorqi@water.ca.gov.

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Sent: 10/30/2015 9:25:31 A.M. Pacific Standard Time

Subj: Change Order - Jones Pumping Plant - CORRECTION

At 0001 Tuesday November 3, 2015, please begin targeting an export rate of 1600 cfs. This will result in a two unit operation.

Ordered by: Peggy Manza

Note: Additional water available in the Delta.

**From:** Burns, Michael@DWR <Michael.Burns@water.ca.gov>  
**To:** Herrick, John @aol.com <jherrlaw@aol.com>; McQuirk, Jacob@DWR <Jacob.McQuirk@water.ca.gov>  
**Cc:** dean <dean@hprlaw.net>; Kwan, Simon@DWR <Simon.Kwan@water.ca.gov>; Yamanaka, Dan@DWR <Dan.Yamanaka@water.ca.gov>; Abioui, Michael@DWR <Michael.Abioui@water.ca.gov>; Wong, Michelle@DWR <Michelle.Wong@water.ca.gov>  
**Subject:** RE: Middle River Water Levels  
**Date:** Tue, Jul 5, 2016 10:42 am

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The water levels have been steadily climbing since Jun 22 when we raised the MR barrier 1 additional foot. There was a dip down to about 0.5 feet above the target level when the TRP pumping spiked for a few days but now water levels are actually good (about 2.0 (+) feet above the target levels. Water hyacinth may be restricting flow.

Mike Burns

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**From:** Jherrlaw@aol.com [mailto:Jherrlaw@aol.com]  
**Sent:** Tuesday, July 05, 2016 9:59 AM  
**To:** McQuirk, Jacob@DWR  
**Cc:** dean@hprlaw.net; Kwan, Simon@DWR; Yamanaka, Dan@DWR; Abioui, Michael@DWR; Burns, Michael@DWR; Wong, Michelle@DWR  
**Subject:** Re: Middle River Water Levels

Good. I now see that CVP exports jumped and SWP exports decreased at same time. Not sure what is going on operationally speaking, the totals for CVP and SWR seem rather high given the inflow conditions. It could certainly be that shifting to CVP adversely affects amount of tidal flow which can enter Middle River, and with the huge hyacinth mat in that channel, the available water simply takes a path of lesser resistance. Food for thought. Let me know when you want to meet and I will adjust accordingly; JUST NOT Wednesday. JOHN

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In a message dated 7/5/2016 9:31:12 A.M. Pacific Daylight Time, [Jacob.McQuirk@water.ca.gov](mailto:Jacob.McQuirk@water.ca.gov) writes:

Hi John,

We will have things inspected ASAP, and let me know if you see anything. Unless there is an issue with flap gates not seating, I don't have more tricks to pull out of my hat. The barrier is raised and all flap gates are operating tidally. I would like to set up a meeting in the field with you and Woods Irrigation Company as well as any other Middle River diverters that are experiencing trouble. Let's shoot for later in the week. I'm also going to see if I can get Boating and Waterways to clear some of the hyacinth out there. My reasoning will be that the hyacinth breeding ground on Middle River spreads to navigable waterways thus making control of those waterways not possible.

If we are able to get Boating and Waterways on this, we will need cooperation and possibly participation from the diverters and farmers on Middle River. This includes spoil sites for the weed.

Thanks,

Jacob

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**From:** [Jherrlaw@aol.com](mailto:Jherrlaw@aol.com) [mailto:[Jherrlaw@aol.com](mailto:Jherrlaw@aol.com)]

**Sent:** Tuesday, July 05, 2016 8:39 AM

**To:** McQuirk, Jacob@DWR; Kwan, Simon@DWR

**Cc:** Herrick, John @aol.com; [dean@hprlaw.net](mailto:dean@hprlaw.net)

**Subject:** Middle River Water Levels

Dear Jacob and Simon:

Middle River diverters are still experiencing very low water levels which are preventing diversions when needed. One of those diverters hired a diver to clean out his intake as the intake is constantly being jammed with debris. The diver suggested that the culverts and/or flap gates on the Middle River barrier might also be clogged. This has some logic to it as the Woods IC diverters are stating the water levels seem to be lower than typical when barriers are in and operating. I am back now from vacation and will go out there to inspect myself later this morning. Please try to get some sort of inspection of the MR barrier culverts and flap gates as soon as possible so we can determine if the barrier is not working as designed. Thanks, JOHN

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**From:** McQuirk, Jacob@DWR <Jacob.McQuirk@water.ca.gov>  
**To:** Herrick, John @aol.com <jherrlaw@aol.com>  
**Cc:** Holderman, Mark@DWR <Mark.Holderman@water.ca.gov>; Kwan, Simon@DWR <Simon.Kwan@water.ca.gov>  
**Subject:** RE: Water Levels  
**Date:** Tue, Jul 12, 2016 5:25 pm

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Hi John,

We were able to get the problem flap gate at Middle River working correctly and I put the request in to have the weir repaired. I will get back to you when I know when it is scheduled.

With regards to the issues on Tom Paine Slough, let's discuss. If there is an issue with the siphon, then we will fix it. I'm not sure what we can do, if anything, if this is a channel conveyance issue.

Give me a call and let's discuss this as well as some other items.

Thanks,

Jacob

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**From:** Jherrlaw@aol.com [mailto:Jherrlaw@aol.com]  
**Sent:** Tuesday, July 12, 2016 2:06 PM  
**To:** McQuirk, Jacob@DWR  
**Cc:** Herrick, John @aol.com  
**Subject:** Water Levels

Dear Jacob:

1. Please give me an update on DWR efforts to repair the notch in the Middle River barrier and repairs to the Middle River barrier flap gate.

2. Pescadero informed me today "they have no water" and are unable to divert from Tom Paine Slough. I recently was informed that operations of CCF have been altered in that the gates are not being fully opened to limit fish entering the Forebay, but that when such is done the gates are then left open longer than they would have been under the specified Priority operation of those gates. Please let me know what Priority the CCF gate are operating and if the gates are in fact being left partially open longer than the Priority calls for. There should be CDEC data somewhere so that I can confirm the timing of gate opening and closing.

As per recent years, we need to sit down and agree upon some modeling to see if we can determine the underlying cause of this perennial problem. As in prior years, I suggest that siltation is preventing the originally modeled/assumed flow from reaching the upper reaches of the tidal zone. If that is the case, then DWR, USBR and SDWA need to re-open discussions about the degree to which any particular party is responsible. I understand DWR has a different opinion at this time, but that should not preclude us from investigating and discussing the problem. JOHN

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From: McQuirk, Jacob@DWR <Jacob.McQuirk@water.ca.gov>

To: Herrick, John @aol.com <jherrlaw@aol.com>; George, Michael@Waterboards <Michael.George@Waterboards.ca.gov>; Burns, Michael@DWR <Michael.Burns@water.ca.gov>

Cc: dean <dean@hprlaw.net>

Subject: RE: Middle River Water Levels

Date: Wed, Jul 13, 2016 5:16 pm

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Hi John,

We have repaired the leaky flap gate, and the Middle River weir is scheduled to be repaired tomorrow. I would be happy to meet and discuss and if possible have a meeting in the field. I will try to get Reclamation involved as well, but we will see.

I'm coordinating with Boating and Waterways on the aquatic weed issues, but as you mentioned they are only part of the problem. I will also reach out to group that collects bathymetry data, and see if we have any recent data for upper portion of Middle River. As you know we don't have a lot of things we can adaptively manage with the barriers. One idea we could experiment with would be to tie open flap gates at GLC and see if that will allow more water to push down Middle River on the flood tide, but that may impact others. Since it sounds like things have improved on Middle River, I don't want to go messing with GLC now and risk others having water level issues.

Thanks,

Jacob

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From: Jherrlaw@aol.com [mailto:Jherrlaw@aol.com]

Sent: Wednesday, July 06, 2016 9:00 AM

To: McQuirk, Jacob@DWR; George, Michael@Waterboards; Burns, Michael@DWR

Cc: dean@hprlaw.net; Herrick, John @aol.com

Subject: Middle River Water Levels

All:

This is to confirm my site visit yesterday to the Woods IC diversion and the Middle River rock barrier. Some of this has already been sent via text yesterday, but I wanted everything "in the record."

As we know, WIC has been complaining of low water levels over the past two weeks and various potential causes have been expressed. First, the hyacinth problem at the intake itself is much less than I was lead to believe. There are still clumps around the area, but immediately around the intake the channel is clear. The surrounding "clumps" indicate recent spraying, which means the spraying program is working to some degree, but the regrowth is quick and substantial. It appears WIC or some landowner has removed much of the hyacinth in that area using an excavator. This is to not suggest that less spraying is acceptable, only that the situation is much better than it was a month ago. Upstream and downstream of the intakes still have large mats clogging the channel. Whether the still substantial hyacinth mats impede flow into the channel should still be investigated.

Second, and apparently the main cause of lowered water levels are (i) an obviously malfunctioning flap gate on the southern most culvert, and (ii) a notch" someone has created on the southern edge of the northern culverts. The faulty flap gage is allowing a significant amount of water to "leak back" downstream. I cannot estimate the flow but the whorls and vortexes of the escaping water were surprising. The "notch" looks like someone tossed some of the rocks to the downstream side in order to allow a small boat to pass over the barrier. My visit was about 30 minutes before the low tide; the flow in the notch was steady but not significant at that time.

Jacob has represented to me that DWR will be fixing both of these problems asap.

Yesterday Mike Burns sent me the data from monitoring devices indicating that the water levels were above the minimum levels. Assuming the devices are accurate, this confirms that the original estimate as to what is an acceptable water level needs to be reconsidered. Periodically over the last few years I have asked DWR to "re-negotiate" the minimum level for Middle River based on diversion problems. I think this most recent incident indicates that is prudent.

Given that WIC experienced serious diversion problems including the need to shut down diversions, we need to give the whole thing a new look. Hypothetically, the modeling and measuring stations should have indicated that too much water was leaving the area and causing a problem. We need some sort of ongoing "check" which would show us when there is indeed less water being trapped and held than anticipated in the modeling. If possible, this would be cheaper than paying for regular inspections. Our efforts should also include a determination as to the effects of other factors (exports, hyacinth, etc) so that we might be able to anticipate problems and avoid them. We may not be able to make the system fool proof, but we need to try to make it better. Previous discussions always include DWR and USBR's position that the export impact on filling the areas behind the barriers is minimal. This time I suggest we try to quantify the effect. For example, a <5% impact may seem insignificant, but if that translates into a full day's diversions at WIC during one tidal cycle, it might indeed be significant.

Jacob wants to conduct a site visit soon, so I will try to set something up. I don't know who at USBR to send this to so I leave that up to DWR and The Watermaster. JOHN

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From: Jherrlaw <Jherrlaw@aol.com>

To: jacob.mcquirk <jacob.mcquirk@water.ca.gov>

Cc: michael.george <michael.george@waterboards.ca.gov>; rd2058 <rd2058@yahoo.com>; RudyMM <RudyMM@aol.com>; lvmussi <lvmussi@aol.com>; jherrlaw <jherrlaw@aol.com>

Subject: Water Levels

Date: Fri, Aug 5, 2016 9:12 am

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Dear Jacob:

Pursuant to our telephone conversation yesterday, this is to confirm to you that I continue to have complaints about low water levels in both Middle River and Tom Paine Slough. The Middle River users (especially Woods IC) continue to have difficulties diverting as needed. They tell me the levels are lower than usual this year and are questioning whether the barriers were installed at the proper height. Please try to confirm if they were indeed installed correctly.

The Tom Paine Slough problem is the same as in prior years, with the District unable to fill the slough on the incoming tides. According to them, the amount of water they want to divert is more than comes in on the tides. They are still decreasing diversions to maintain some level of pumping and the inability to divert as needed is adversely affecting their landowners. We have gone over this before and hope we can meet as previously suggested. Once my consultant has reviewed the relevant materials perhaps we can agree on somethings and suggest a course of action.

Also as we discussed, I am hoping that DWR can alter operations of CCF to address the problem to some degree. As I recall, the current Priority for CCF ops is #3 which includes taking water during the entire flood-ebb cycle of the low-high and taking just before the high-high crests. I do not recall the low-high ops but recall it includes taking on that incoming tide also. I think we should try a CCF operation that allows the high-high to crest before CCF gates open, and/or allowing some time during the low-high when CCF does not operate. Priority #1 seems to do this, though strict adherence to the priorities is not a concern to me at this time. Doing something for a few days would certainly show us if it helps or the degree to which it helps.

Of course if you can also get the USBR to do something that might help also. I am cc'ing the Watermaster because he asked to be kept up to date. JOHN

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**Subj:** FW: Water Levels  
**Date:** 8/5/2016 4:56:11 P.M. Pacific Daylight Time  
**From:** [Jacob.McQuirk@water.ca.gov](mailto:Jacob.McQuirk@water.ca.gov)  
**To:** [jherlaw@aol.com](mailto:jherlaw@aol.com)  
**CC:** [Michael.George@Waterboards.ca.gov](mailto:Michael.George@Waterboards.ca.gov)

Hi John,

Please see the response from our operators. We should have a dive next week to see why the culvert flap gates are not sealing correctly on Middle River and Old River Tracy.

Thanks,

Jacob

---

**From:** Pettit, Tracy@DWR  
**Sent:** Friday, August 05, 2016 1:16 PM  
**To:** McQuirk, Jacob@DWR  
**Cc:** Yamanaka, Dan@DWR; Hinojosa, Tracy@DWR; Leahigh, John@DWR; Miller, Aaron@DWR; Kwan, Simon@DWR; Burns, Michael@DWR; Wong, Michelle@DWR; Abioui, Michael@DWR; Holderman, Mark@DWR  
**Subject:** RE: Water Levels

Hi Jacob –

Thanks for forwarding this email. We have discussed the water levels with Reclamation. Our strategy from this point forward is the following:

1. Beginning tomorrow, Saturday, August 6, we will modify the CCF gate operations to open the CCF gates one hour after the peak high tide. We will monitor and assess the effects due to this change in CCF gate operations. Can you keep up updated on the results of the diver's inspection?
2. EC at Jersey – We are concerned that the daily values have not decreased since we are in the draining cycle of the tidal phase. We still have 10 more days for Jersey's requirement to be in effect. The Projects have determined that export decreases will be scheduled over the weekend and the start of the week. Should the daily EC at Jersey improve, export increases will occur.

Take care.

Tracy

Tracy Pettit-Polhemus, P.E.  
SWP Operations Control Office  
Department of Water Resources  
Phone: (916) 574-2662  
Fax: (916) 574-2785  
[Tracy.Pettit@water.ca.gov](mailto:Tracy.Pettit@water.ca.gov)

---

**From:** McQuirk, Jacob@DWR  
**Sent:** Friday, August 05, 2016 9:46 AM  
**To:** Pettit, Tracy@DWR  
**Cc:** Yamanaka, Dan@DWR; Hinojosa, Tracy@DWR; Leahigh, John@DWR; Miller, Aaron@DWR; Kwan, Simon@DWR; Burns, Michael@DWR; Wong, Michelle@DWR; Abioui, Michael@DWR; Holderman, Mark@DWR

**Subject:** FW: Water Levels

Hi Tracy,

Please see John Herrick's complaint below. We are working to get the culverts on MR and ORT inspected by a diver (likely Wednesday or Thursday of next week if the plan is approved) as they seem to be leaking pretty bad. I seriously doubt the weir crest is off, but debris could be impacting the culverts. Other than changes in exports or CCF operations, I don't know what could be done.

Please pass this message along to Reclamation as well.

Thanks,

Jacob

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**From:** Jherriaw@aol.com [mailto:Jherriaw@aol.com]

**Sent:** Friday, August 05, 2016 9:12 AM

**To:** McQuirk, Jacob@DWR

**Cc:** George, Michael@Waterboards; rd2058@yahoo.com; RudyMM@aol.com; lvmussi@aol.com; Herrick, John@aol.com

**Subject:** Water Levels

Dear Jacob:

Pursuant to our telephone conversation yesterday, this is to confirm to you that I continue to have complaints about low water levels in both Middle River and Tom Paine Slough. The Middle River users (especially Woods IC) continue to have difficulties diverting as needed. They tell me the levels are lower than usual this year and are questioning whether the barriers were installed at the proper height. Please try to confirm if they were indeed installed correctly.

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Of course if you can also get the USBR to do something that might help also. I am cc'ing the Watermaster because he asked to be kept up to date. JOHN

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Monday, August 8, 2016 AOL: Jherriaw