

# Memorandum

Date: May 31, 2006

To: Victoria Whitney, Chief  
Division of Water Rights  
State Water Resources Control Board  
1001 I Street  
Sacramento, California 95814

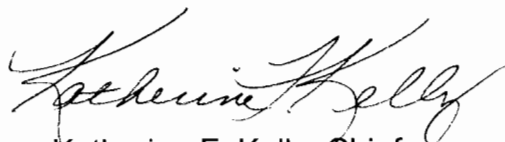
From: **Department of Water Resources**

Subject: Cease and Desist Order 2006-0006 Quarterly Status Report

The attached quarterly status report is submitted pursuant to Section A.6 of the Cease and Desist Order 2006-0006, issued February 15, 2006. This report describes progress regarding specified permit/license conditions and an updated projection of the final date for completion of construction and commencement of operations of permanent operable gates in the southern Delta. The Department of Water Resources and the U.S. Bureau of Reclamation's preferred method to help manage salinity in the southern Delta is through the proposed permanent operable gates, as described in the South Delta Improvements Program Draft Environmental Impact Statement / Environmental Impact Report (October 2005).

As required by the Order, copies of the status report have been sent to Central Delta Water Agency, South Delta Water Agency, San Joaquin County, California Sportfishing Protection Alliance, and Contra Costa Water District.

If you wish to discuss this report, please contact me at (916) 653-1099 or [kkelly@water.ca.gov](mailto:kkelly@water.ca.gov). For further information on the status of the SDIP, your staff may contact Paul A. Marshall, Supervising Engineer of the South Delta Management Section, at (916) 653-2118 or at [marshall@water.ca.gov](mailto:marshall@water.ca.gov) or review information available at the DWR website: <http://sdip.water.ca.gov/>.



Katherine F. Kelly, Chief  
Bay-Delta Office

## Attachments

cc: John Leahigh  
Cathy Crothers  
Paul Massera

Cease and Desist Order 2006-0006  
Quarterly Status Report  
May 31, 2006

**South Delta Improvements Program (SDIP) Status Report**

The U. S. Bureau of Reclamation and the Department of Water Resources issued a draft Environmental Impact Statement/Environmental Impact Report in November 2005. Approximately 16,000 public comments were received. The Department and Reclamation are developing responses to these comments.

In March 2006, the Clean Water Act Section 404 permit application for the SDIP was submitted to the U.S. Army Corps of Engineers. In April, Section 106 National Historic Preservation Act documents were submitted to State Historic Preservation Office. This certification is expected shortly. On May 25, 2006 SDIP staff met with State Water Board staff to discuss issues associated with applying for Clean Water Act Section 401 water quality certification. Other permit applications are being prepared for submittal. A complete list of necessary permits and application and issue dates will be submitted in connection with the request from Water Rights Division staff dated May 12, 2006.

In the next couple of months, permit applications will be submitted for Endangered Species Act, Section 10 of the Rivers and Harbors Act, Clean Water Act Section 401 certification, Department of Fish and Game Section 1601 streambed alteration permit, dredge waste discharge requirements, and stormwater permit (both from the Central Valley Regional Water Quality Control Board).


It is anticipated that the Department will certify the SDIP EIR in August 2006 and award a construction contract by the end of the year. Operable gates are expected by April 2009. Construction (including automated systems) will be complete by Fall 2009.

PROOF OF SERVICE

I, the undersigned, hereby certify that I am over the age of eighteen (18) years of age and an employee of the State of California Department of Water Resources, 1416 Ninth Street, Sacramento, California 95814.

On May 31, 2006, I served true and correct copies of the attached Department of Water Resources "Cease and Desist Order 2006-0006, Quarterly Status Report, May 31, 2006" by e-mail and facsimile (FAX) to the office of Division of Water Rights of the State Water Resources Control Board on the 14<sup>th</sup> floor of the California Environmental Protection Agency Building at 1001 I Street in Sacramento. I also served true and correct copies of this document by electronically transmitting the report to the parties listed on the attached Mailing List.

Date: May 31, 2006

By:   
\_\_\_\_\_  
Jane Schafer-Kramer

## MAILING LIST

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