

**Clean Water Act, Sect. 404  
Presentation  
December 1, 1998**

**Clean Water Act, Sect. 404  
Basic Elements**

- Project Purposes
- Project must be "Least Environmentally Damaging Practicable Alternative"
- Cannot Cause, Contribute to Substantial Degradation of Waters
- Include all Appropriate, Practicable Mitigation

**CALFED Opportunities and  
Challenges**

- Multiple Project Purposes
- Unprecedented Scale
- Environmental Restoration Integral to Program: Implications for Facilities 404 Permits
- Opportunities for Synergy
- Complexity of Analyses

**Actions Potentially  
Requiring 404 Permits**

- Surface Storage
- Groundwater Storage
- Conveyance
- Levee Improvements
- Environmental Restoration, Watershed Management
- Water Quality Improvements
- Certain WUE Actions

**Focus on Surface Storage**

- Programmatic "Needs Analysis"
- Rough Screening of Potential Sites
- Detailed Evaluation of Remaining Sites
- Site-Specific Measures to Minimize and Mitigate Impacts

**Programmatic Needs  
Analysis**

- Need for Surface Storage: Demonstrate that Less Env. Damaging Alternatives have been Implemented to the Extent Practicable
- Alternatives: Water Use Efficiency, Water Transfer, Water Quality, Operations
- Needs Demonstration: Performance Levels and Economic/Hydrologic Modeling

### ***Needs Analysis: Issues***

- Design of Modeling Studies
- Guiding Policies and Technical Assumptions to Constrain Studies
- Accuracy and Validity of Results
- Specific Performance Levels

### ***Coarse Screening of Potential Sites***

- Inventory 52 Potential Sites
- Interagency Screening Committee
- Coarse Screening Criteria
- Draft Screening by End of 1998

### ***Goals for Phase II***

- Completion of Needs Analysis
- Agreement on Performance Levels
- Completion of Coarse Screening
- Agreement on 404 Compliance Process
- No LEDPA or Broad 404 Compliance Determination

### ***404 Compliance: First Bundle***

- 1st Bundle 404 Issues must be Resolved in '99.
- Linkage/Assurance Tool
- Combination of Site Specific Permits, Nationwide Permits, or Broader Component Permits