

NOV -3 1999

1. K. Kelly
215-370
2. OSP
215-439

Mr. Wayne White
U. S. Fish and Wildlife Service
3310 El Camino Avenue, Suite 130
Sacramento, California 95821

Mr. Jim Lecky
National Marine Fisheries Service
501 West Ocean Boulevard, Suite 4200
Long Beach, California 90802

Mr. Ryan Broddrick
Department of Fish and Game
1416 Ninth Street, Room 1207
Sacramento, California 95814

Mr. Jim Monroe
U. S. Army Corps of Engineers
1325 J Street
Sacramento, California 95814

On Tuesday, October 19, 1999, I met with you or your designated representative to discuss the proposed Grantline Canal Agricultural Diversion Modification project. In particular, the discussion focused on whether agricultural diversions modified through this project should be required to have fish screens installed on them as part of the modifications.

During the meeting, I committed to providing you with a list of attendees and a summary of the key discussion points at the meeting. The list of attendees is enclosed. The main points discussed during the meeting are as follows:

1. Jim Monroe of the Corps stated:
 - a) that where an existing diversion is simply being vertically extended, this action could be authorized through a Nationwide Permit Number 3.

- b) Diversions which are being modified by extending a pump platform further into the channel or new siphons being installed with a slant pump would require Section 10 permits due to navigational concerns. The Section 10 permits should address potential navigational hazards resulting from the relocation of diversion infrastructure and the clearance needed for future fish screens (if installed).
 - c) Dredging in Grantline Canal could be authorized under a Regional General Permit Number 14 as a modification to the existing temporary barriers permit if the dredged material is used for levee maintenance. The advantage of using the temporary barriers permit is that it would eliminate the need for Public Notice and preparation of additional environmental documentation. However, there are some restrictions in RGP 14 which may limit its utility for this action. It is most likely the dredging would need to be done outside the existing regulatory "window".
 - d) The Department of Water Resources should begin coordinating with the Regional Water Quality Control Board immediately on the discharge permit for dredge materials based on the results of the sediment sampling report prepared for Grantline Canal and Old River.
2. The Department of Fish and Game stated their position is that for diversions where a pump is simply extended or a pump platform is moved further out into the channel, no fish screens would be required as part of the Grantline Canal Agricultural Diversion Modification Project because they are not "new" diversions under Fish and Game Code Section 6100. However, if a siphon is replaced with a pump or a pump is added to a floodgate, fish screens would be required prior to operating the modified diversion under Section 6100. Diversions modified but not screened now would be screened as part of the South Delta Improvement Program following the issuance of the Record of Decision which is expected to include dredging, diversion extension and fish screening.
 3. The U. S. Fish and Wildlife Service and the National Marine Fisheries Service stated that while they might not require fish screen installation on modified diversions at the present time, they would want these diversions to be treated the same as intakes modified in the future under CALFED's South Delta Improvements Program. Thus, if SDIP includes the installation of fish screens on all modified diversions, the intakes modified now would be screened following the issuance of the ROD for SDIP.

Mr. Wayne White, et al

NOV -3 1999

Page Three

4. USFWS left open the possibility of requiring fish screens for this project on the largest modified diversion in Grantline Canal, or installing a fish screen on a diversion in Grantline Canal which has another diversion adjacent to it so that side by side testing (with and without fish screens) could be done to determine fish screen effectiveness.
5. USFWS and NMFS proposed another possibility: that owners of diversions which are modified sign an agreement which allows fish screens to be installed on their intakes in the future as may be required in CALFED's preferred alternative identified in the ROD.
6. The USFWS/NMFS proposal made in Point (5) appeared to gain general acceptance among the agencies present.
7. DWR agreed to take the lead in assisting with the permit applications for the proposed project. At this time it was not clear whether they will assist the locals directly with the applications or act as the agent for the local interests.
8. The contact persons for this project were named as follows: Stein Buer (CALFED), Jim Starr (DFG), Matt Vandenberg (USFWS), Karl Halupka (NMFS), Nancy Haley (Corps) and Mike Ford (DWR).

My staff will be in touch with the contact person from your agency to put together the project description, required environmental documentation and information related to the Endangered Species Act which are needed to move forward with this project. We expect that it will be necessary for the core team to meet at least several times to ensure that the project is proceeding appropriately. If you have any questions or need additional information, please contact me at (916) 653-1099 or have your staff contact Mike Ford, Chief of the Delta Planning Branch at (916) 653-7247.

Sincerely,

Original Signed By

Katherine F. Kelly, Chief
Office of SWP Planning

cc: See Attached List
Enclosure
MFord:JillPhinney
Spell Check: 10-25-99

Mr. Mike Thabault
U. S. Fish and Wildlife Service
3310 El Camino Avenue #130
Sacramento, California 95821

Mr. Matt Vandenberg
U. S. Fish and Wildlife Service
3310 El Camino Avenue #130
Sacramento, California 95821

Mr. Frank Wernette
Department of Fish and Game
4001 North Wilson Way
Stockton, California 95205

Mr. Jim Starr
Department of Fish and Game
4001 North Wilson Way
Stockton, California 95205

Mr. Perry Hergesell
Department of Fish and Game
4001 North Wilson Way
Stockton, California 95205

Mr. Stein Buer
CALFED
1416 Ninth Street
Sacramento, California 95814

Mr. Gary Stern
National Marine Fisheries Service
777 Sonoma Avenue
Santa Rosa, California 95404

List of Attendees:

Stein Buer
CALFED

Katherine Kelly
Department of Water Resources

Mike Ford
Department of Water Resources

Steve Bradley
Department of Water Resources

Wayne White
U. S. Fish and Wildlife Service

Mike Thabault
U. S. Fish and Wildlife Service

Matt Vandenberg
U. S. Fish and Wildlife Service

Perry Hergesell
Department of Fish and Game

Frank Wernette
Department of Fish and Game

Jim Starr
Department of Fish and Game

Gary Stern
National Marine Fisheries Service

Jim Monroe
U. S. Army Corps of Engineers