



State Water Resources Control Board



Alan C. Lloyd, Ph.D.
Agency Secretary

Division of Water Rights
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Arnold Schwarzenegger
Governor

June 10, 2005

Carl A. Torgersen, Chief
Front Office
CA Department of Water Resources
3310 El Camino Ave., Suite 300
Sacramento, CA 95821

Ronald Milligan
Operations Manager
Central Valley Operations Office
U.S. Bureau of Reclamation
3310 El Camino Ave., Suite 300
Sacramento, CA 95821

Dear Mr. Torgersen and Mr. Milligan:

DREDGING PROGRAM UNDER THE WATER LEVEL RESPONSE PLAN FOR USE OF JOINT POINTS OF DIVERSION

This letter responds to your letter dated May 31, 2005, submitting the Dredging Program required pursuant to Condition E of the July 19, 2004 approval of the Water Level Response Plan required for use of Joint Points of Diversion (JPOD). Condition E requires the Department of Water Resources (DWR) and the U.S. Bureau of Reclamation (USBR) to submit a dredging program for approval by the Chief of the Division of Water Rights (Division) to address future dredging needs in the southern Delta related to JPOD diversions. With the following conditions, I find that the Dredging Program you submitted meets the requirements of Condition E and is approved. To the extent that any conflict exists with the Dredging Program, these conditions prevail.

- The Division Chief retains continuing authority over approval of the Dredging Program to require changes in the program if conditions warrant, including requiring monitoring and a schedule for dredging.
- DWR and USBR shall inform the Division Chief immediately upon any disagreement with South Delta Water Agency (SDWA) or any diverter concerning implementation of the Dredging Program, including notification, diagnosis, and resolution of any water level problems. DWR, USBR, SDWA, and any diverter immediately shall submit any relevant monitoring, measuring or other information regarding the disagreement to the Division Chief to make a determination regarding required actions pursuant to the Dredging Program. All JPOD diversions shall be suspended until such time as the Division Chief makes a

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determination regarding any disagreement or otherwise authorizes JPOD diversions to continue.

- DWR and USBR are responsible for all short-term and long-term water level impacts of JPOD diversions. However, DWR and USBR are not responsible for addressing routine maintenance issues of individual diverters.
- DWR and USBR shall submit a report before October 1, 2006, to the Division Chief detailing the actions that were taken pursuant to the Dredging Program to date. DWR and USBR in consultation with SDWA shall assess the effectiveness of the Dredging Program in addressing water level concerns associated with JPOD activities. Based on that report, the Division Chief will make any appropriate modifications to the Dredging Program. JPOD diversions are not authorized after October 1, 2006, if the required report has not been submitted and accepted as complete by the Division Chief.

If you have any questions regarding this matter, please contact Diane Riddle, Environmental Scientist, at (916) 341-5297, or Barbara Leidigh, Staff Counsel IV, at (916) 341-5190.

Sincerely,

ORIGINAL SIGNED BY

Victoria A. Whitney
Division Chief

cc: John Herrick
South Delta Water Agency
4255 Pacific Ave., Suite 2
Stockton, CA 95207

Alex Hildebrand
South Delta Water Agency
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Manteca, CA 95337

(Continued next page.)

Carl A. Torgersen
Ronald Milligan

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cc: (Continuation page.)

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bcc: Vicky Whitney, Barbara Leidigh, Gita Kapahi

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