

**DEPARTMENT OF WATER RESOURCES**

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May 3, 2019

Mr. Zachary Simmons  
U.S. Army Corps of Engineers Sacramento District  
1325 J Street  
Sacramento, California 95814

Subject: Withdrawal of Application SPK-2008-00861

Dear Mr. Simmons:

Pursuant to Section 404 of the Clean Water Act (CWA) (33 U.S.C. 1344) and Section 10 of the Rivers and Harbors Act (RHA) (33 U.S.C. 403), the California Department of Water Resources (DWR) submitted information to update application SPK-2008-00861 to the U.S. Army Corps of Engineers (Corps) for a Department of the Army individual permit (33 C.F.R 325) for the California WaterFix Project on November 13, 2018. DWR submitted the original application on August 24, 2015.

#### Withdrawal of Application

On February 12, 2019, Governor Newsom introduced a new approach to modernize Delta water conveyance, one which included the consideration of a new, single-tunnel project alternative. Consistent with this direction, on May 2, 2019, Department of Water Resources (DWR) Director Nemeth withdrew the approval of the California WaterFix project and rescinded the accompanying notice of determination that was filed pursuant to the requirements of the California Environmental Quality Act. Because DWR is no longer pursuing the California WaterFix Project, DWR is withdrawing the application SPK-2008-00861 for a Department of the Army individual permit for the California WaterFix Project (updated November 13, 2018, submitted August 24, 2015). In addition, DWR is withdrawing any other California WaterFix Project applications and/or agreements associated with the Corps' authorities, as relevant.

DWR is presently assessing the nature and extent of the proposed revisions necessary to align with the Governor's vision and the new environmental permitting, planning, and document preparation. DWR anticipates embarking on a new environmental review process in the near future to address climate change resiliency and protect the State Water Project Delta Conveyance from earthquake risk, in consideration of a one tunnel conveyance facility.

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We appreciate the effort that the Corps has invested in the California WaterFix project. If you have any questions regarding the withdrawal of the California WaterFix application, please contact me at 916-651-2987 or [Kristina.Reese@water.ca.gov](mailto:Kristina.Reese@water.ca.gov).

Sincerely,



Kristina Reese, Environmental Program Manager  
Delta Conveyance Office

cc: Michael Nepstad, U.S. Army Corps of Engineers  
Jennifer Siu, U.S. Environmental Protection Agency  
Jean Prijatel, U.S. Environmental Protection Agency  
Gary Lippner, Department of Water Resources  
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