















- C. The United States Army Corps of Engineers shall pursue modification of the authorized flood control project by negotiating, in good faith, an amendment to the existing assurance agreement and Supplement to the Standard Operation and Maintenance Manual for the Lower San Joaquin River and Tributaries Project, California, Unit No. 12 with The Reclamation Board, to reflect modified obligations due to these nonstructural alternatives, within 60 calendar days of the acknowledgment of this letter of intent.
- D. The United States Army Corps of Engineers shall prepare an Memorandum of Understanding (MOU) with the United States Fish and Wildlife Service to document mutual commitments and obligations regarding operations of the nonstructural alternative. This MOU shall be effective at the closing of the acquisition activities with Reclamation Districts 2099, 2100 and 2102, but shall not preclude closing at an earlier date if mutually agreeable.

III. The Reclamation Board, State of California:

- A. The Reclamation Board will be responsible for compliance under the California Environmental Quality Act. The statutory exemption to the California Environmental Quality Act enacted in 1997, SB 181, only applies to rehabilitation activities within the existing rights-of-way. Before The Reclamation Board can take any action, California Environmental Quality Act compliance will be necessary.
- B. The Reclamation Board will in good faith negotiate an amendment to the existing assurance agreement and Supplement to the Standard Operation and Maintenance Manual for the Lower San Joaquin River and Tributaries Project, California, Unit No. 12 with the United States Army Corps of Engineers, to reflect modified obligations due to these nonstructural alternatives, within 60 calendar days of the acknowledgment of this outline.
- C. The Reclamation Board will revise or terminate existing agreements with Reclamation Districts 2099, 2100 and 2102 to reflect removing these areas from the authorized flood control project. These actions will be subject to approval of the Reclamation Board. If in the event all real property within the reclamation districts is acquired by the United States and the existing assurance agreement and operation and maintenance manual are revised, all The Reclamation Board obligations to the United States cease.

D. The Reclamation Board shall be responsible for disposition of The Reclamation Board owned property rights. If a levee is abandoned, The Reclamation Board needs to either maintain the levee right-of-way or dispose of it. The Reclamation Board could relinquish its easement rights to the underlying fee owner or maintain ownership in case the nonstructural alternative later proves unworkable or there is a desire to repair and maintain the levees. Any disposition of The Reclamation Board owned property will be a decision for The Reclamation Board.

Acknowledged by:

Date:

Dorothy F. Klasse Colonel, Corps of Engineers District Engineer

Date: 2/12/98

Peter Rabbon General Manger, The Reclamation Board State of California

Date: 2/18/98

Wayne White Field Supervisor United States Fish and Wildlife Service















Three Amigos Next Steps







