

## San Joaquin River Restoration Settlement Actions Summary

**Program Management Team (PMT):** Representatives of five implementing agencies to guide and supervise settlement implementation (USBR, DWR, USWFS, DFG and NMFS)

**Work Groups:** Multi-agency technical groups to implement settlement provisions (Water Management; Engineering & Design; Planning, Environmental Compliance & Permitting; and Fishery Management)

Anticipated Actions based on Settlement Agreement and Memorandum of Understanding with the State				
No.	Document (Section)	Page No.	Actions	Due Date
1	Stipulation 8	6	Congress to pass authorizing "San Joaquin River Restoration Settlement Act" (Exhibit A)	Ongoing
2	Stipulation 8	6, 7	Additional Appropriations by Congress.	Ongoing
3	Stipulation 9	7	Upon Settlement Approval, Secretary to commence implementation of Paragraph 11 channel and structural improvements (in a manner compatible with Paragraph 15)	9/23/2006
4	Stipulation 9	7	Secretary to consult with Restoration Administrator in the implementation of Paragraph 11	Ongoing
5	Stipulation 11	8	Complete Phase 1 Improvements. Secretary to designate staff from Reclamation, FWS, NMFS and other appropriate agencies to provide assistance in implementation.	12/31/2013
6	Stipulation 11 (a) (1)	8	Creation of bypass channel around Mendota Pool to ensure conveyance of at least 4,500 cfs from Reach 2B to Reach 3. (Requires completion of structure capable of directing flow down bypass allowing deliveries of SJR water into Mendota Pool when necessary.)	12/31/2013
7	Stipulation 11 (a) (2)	8	Channel capacity modifications (incorporating new floodplain and riparian habitat) to ensure conveyance of at least 4,500 cfs in reach 2B between Chowchilla Bifurcation Structure and new Mendota Pool bypass channel.	12/31/2013
8	Stipulation 11 (a) (3)	8	Modifications in SJR channel capacity if necessary to ensure 475 cfs through Reach 4B.	12/31/2013
9	Stipulation 11 (a) (4)	8	Modifications at Reach 4B headgate on the SJR channel for fish passage and to enable flow routing of between 500 cfs and 4,500 cfs into Reach 4B.	12/31/2013
10	Stipulation 11 (a) (5)	8	Sand Slough modifications to ensure fish passage.	12/31/2013
11	Stipulation 11 (a) (6)	9	Screening of Arroyo Canal water diversion upstream of Sack Dam to prevent entrainment of anadromous fish.	12/31/2013
12	Stipulation 11 (a) (7)	9	Modifications at Sack Dam for fish passage.	12/31/2013
13	Stipulation 11 (a) (8)	9	Modifications to structures in the Eastside and Mariposa Bypass channels to the extent needed to provide anadromous passage on an interim basis until completion of Phase 2 improvements.	12/31/2013
14	Stipulation 11 (a) (9)	9	Modifications in the Eastside and Mariposa Bypass channels to establish a suitable low flow channel (if Secretary in consultation with RA determines necessary).	12/31/2013
15	Stipulation 11 (a) (10)	9	Modifications to enable deployment of seasonal barriers to prevent adult anadromous fish from entering false migration pathway in area of Salt and Mud Sloughs.	12/31/2013
16	Stipulation 11 (b)	8	Complete Phase 2 improvements. Secretary to designate staff from Reclamation, FWS, NMFS and other appropriate agencies to provide assistance in implementation.	12/31/2016
17	Stipulation 11 (b) (1)	10	Secretary in consultation with RA and with concurrence of NMFS and FWS makes determination of whether 11 (b) (1) modification substantially enhances achievement of restoration goal.	12/31/2016
18	Stipulation 11 (b) (1)	9	Modifications in SJR channel capacity (incorporating new floodplain and related riparian habitat) to ensure conveyance of at least 4,500 cfs through reach 4B.	12/31/2016
19	Stipulation 11 (b) (2)	10	Secretary in consultation with RA and with concurrence of NMFS and FWS makes determination of whether 11 (b) (2) modifications are necessary to achieve restoration goal.	12/31/2016
20	Stipulation 11 (b) (2)	10	Modifications to Chowchilla Bifurcation Structure to provide fish passage and prevent entrainment.	12/31/2016
21	Stipulation 11 (b) (3)	10	Secretary in consultation with RA makes determination of highest priority gravel pits in Reach 1, based on relative potential for reducing juvenile salmon mortality.	12/31/2016
22	Stipulation 11 (b) (3)	10	Filling and/or isolating the highest priority gravel pits in Reach 1.	12/31/2016
23	Stipulation 11 (b) (4)	10	Modifications to the San Slough Control Structure to enable effective routing and conveyance of Restoration Flows up to 4500 cfs into Reach 4B	12/31/2016
24	Stipulation 12	10	Identify and recommend additional improvements and potential measures to the Secretary that may further enhance the success of achieving the Restoration Goal.	Ongoing

25	Stipulation 13 (c) (1)	12	Secretary to acquire from willing sellers at least 40,000 acre-feet of water (or options) prior to commencement of restoration flows, unless RA indicates a lesser amount is required.	1/1/2014
26	Stipulation 13 (c) (2) (B) (i), (ii)	13	Secretary shall have available from willing sellers at least 28,000 acre-feet of water (or options) and up to an additional 10,000 acre-feet if recommended by RA; and store unused water, if storage is available.	1/1 of each year
27	Stipulation 13 (c) (2) (B) (iv)	13	Secretary shall provide notice to Plaintiffs and Friant Parties on status of water acquisitions and follow procedures pursuant to 13 (c) (2) (iv)	12/1 of each year
28	Stipulation 13 (f)	14	Parties shall work together to identify increased seepage and identify steps to prevent or redress.	Ongoing
29	Stipulation 13 (g)	14	Measure Restoration Flows at Friant Release; Gravelly Ford; Chowchilla Bifurcation Structure; below Sack Dam; top of Reach 4B; and at the confluence of the Merced River.	1/1/2014
30	Stipulation 13 (h)	15	Secretary, in cooperation with Plaintiffs and Friant Parties, retain, acquire or perfect Water Rights to manage and control Restoration Flows; including permit modifications, enforcement proceedings.	Ongoing
31	Stipulation 13 (i)	15	Secretary to commence the Restoration Flows at the earliest possible date, consistent with the Restoration Goal. RA to recommend to the Secretary the date for commencement of the Restoration Flows.	1/1/2014
32	Stipulation 13 (j)	16-17	Prior to commencement of Restoration Flows, Secretary shall develop guidelines on procedures for determining water year types, timing of Restoration Flows consistent with the hydrographs, procedures for measurement, monitoring, and reporting of daily releases, rate of flow, accounting for reduction of deliveries, methodology for determining seepage losses and/or downstream surface or underground diversions beyond current levels, procedures for real-time changes to actual releases from Friant Dam, and procedures for determining the extent to which flood releases meet Restoration Flows.	1/1/2014
33	Stipulation 14	17	Secretary, through FWS, and in consultation with Secretary of Commerce, DFG, and the RA shall ensure that spring run and fall run Chinook salmon reintroduced between Friant Dam and Merced River.	12/31/2012
34	Stipulation 14 (a)	18	FWS shall submit a permit application to NMFS for the reintroduction of spring run Chinook salmon as soon as practical but not later than Sept. 30, 2010.	9/30/2010
35	Stipulation 14 (a)	18	NMFS to issue a decision on the permit application for the reintroduction of spring run Chinook salmon as expeditiously as possible but no later than April 30, 2012.	4/30/2012
36	Stipulation 14 (a)	18	NMFS to address incidental take issues in Settlement implementation BO(s) and, as appropriate, ESA authorities including Section 4(d) rules and Section 10 permits public processes.	4/30/2012
37	Stipulation 14 (b)	18	RA shall provide Secretary with recommendations designed to reintroduce spring run and fall Chinook salmon; Secretary to include these recommendations in planning and decision-making; Secretary to provide RA written explanation if declining to follow RA recommendations.	12/31/2012
38	Stipulation 15	18	Secretary shall begin program of Interim Flows, including additional releases from Friant Dam.	10/1/2009
39	Stipulation 15	19	RA shall develop and recommend to the Secretary an Interim Flows program, in consultation with TAC, Secretary and other appropriate federal and local agencies.	10/1/2009
40	Stipulation 15 (a)	19	Secretary anticipated to release interim flows (10/1/2009-11/20/2009).	10/1/2009
41	Stipulation 15 (b)	19	Secretary anticipated to release interim flows (2/1/2010 - 12/1/2010).	2/1/2010
42	Stipulation 15 (c)	19	Secretary anticipated to release interim flows 2/1-5/1 in 2011 and 2012, assuming in channel construction begins 5/1; release flows to wet channel down to Chowchilla Bifurcation Structure to collect information regarding infiltration losses 5/1-9/1 in 2011 and 2012.	2/1/2011
43	Stipulation 15 (d)	20	Secretary anticipated to release flows for entire year, if highest priority channel improvements identified in 11(a) not completed.	12/31/2013
44	Stipulation 15 (e)	20	Secretary shall, in consultation with RA, determine existing channel capacity and impact of Interim Flows on channel construction work.	10/1/2009
45	Stipulation 16 (a)	20	Secretary, in consultation with the Plaintiffs and Friant Parties, shall develop plan for recirculation, recapture, reuse, exchange or transfer of the Interim Flows and Restoration Flows to reduce impacts to water deliveries to long-term Friant Division contractors per 16(a)(1)-(4).	10/1/2009
46	Stipulation 16 (b)	21-22	Secretary to establish a Recovered Water Account (RWA) per 16 (b) (1)-(5) to make water available to Friant Division long-term contractors who provide water to meet Interim Flows and Restoration Flows.	10/1/2009
47	Stipulation 17	22-23	RA shall make recommendations to the Secretary concerning hydrograph implementation and buffer flows to meet Restoration Goals, consulting with TAC.	Ongoing
48	Stipulation 19 (a)	23	Secretary to develop procedures for coordinating technical assistance, regulatory compliance and information sharing with other state and federal agencies with responsibilities related to the Restoration Goal, and RA and TAC.	2007

49	Stipulation 19 (a)	23	Secretary and Secretary of Commerce shall designate staff from Reclamation, FWS, NMFS, to act as liaisons to the TAC.	2007
50	Stipulation 19 (a)	23-24	Secretary and Secretary of Commerce shall designate staff from Reclamation, FWS, NMFS; may create agency groups to implement Settlement; including assistance to RA and TAC; Secretary may enter into MOU/A(s) to facilitate Settlement implementation.	10/23/2006
51	Stipulation 19 (b)	24	Secretary shall, in cooperation with other Parties, provide appropriate opportunities for input from third parties who have an interest in measures undertaken per Settlement; coordination with third parties who own or control facilities or property affected by implementation of Settlement measures.	2007
52	Stipulation 19 (b)	24	Secretary, shall, in cooperation of the other Parties, provide appropriate opportunities for public participation regarding implementation of the Settlement.	2007
53	Stipulation 21 (a) (1)	27	At the beginning of the fiscal year following enactment of legislation, Secretary to dedicate payments made pursuant to CVPIA 3406 (c) (1) directly or to support bond or loan (issues/entered into by the State of California) and allocate up to 2 million dollars annually of restoration charges pursuant to CVPIA 3407(d)(2)(a).	Ongoing
54	Stipulation 21 (a) (2)	27	From the fiscal year following enactment of legislation, for 9 fiscal years thereafter, Secretary to dedicate the capital component of payment made by the Friant Division of long-term contractors pursuant to long-term water service contracts directly or to support a bond or loan (issued/entered into by State of California).	Date of enactment of legislation
55	Stipulation 21 (d)	29	Secretary shall negotiate agreement(s) with the State of California by which the State is to participate in the implementation of the Settlement through funding and other means.	Ongoing
56	Stipulation 22 (b)	30-31	Friant Division and the Hidden and Buchanan Units contracts to be amended to add Paragraphs 22(b)(1) through 22(b)(4); Secretary shall ensure contract amendments have been executed within 90 days of effective date of Settlement.	1/23/2007
57	Stipulation 28	35	Secretary shall initiate and expeditiously complete applicable environmental documentation and consultations.	Ongoing
58	Stipulation 29	35	Parties shall establish procedures for providing notice of agreements with third-parties to implement Settlement; agreements shall be made available to parties.	Ongoing
59	Stipulation 46	39	Parties shall designate point of contact for all notices and consultations required by the Settlement.	Ongoing
60	S. MOU	2	Within 90 days of execution of MOU, Secretaries of the Interior, Commerce, and the California State Secretary for Resources and Secretary of CalEPA establish a process for the State and Federal agencies to implement the Settlement.	1/23/2007
61	S. MOU	2,3	The Secretary of the Interior and the CA Secretary of Resources, in cooperation with Settling Parties, shall establish or convene new or existing working groups, technical committees, or advisory councils, as appropriate, to assure public participate and input into the implementation of the Settlement.	Ongoing
62	S. MOU	4	Implement Chapter 5, section 75005 (n) of the "Bond Act" so that \$100 million is expended consistent with the MOU to implement the Settlement.	Ongoing