



U.S. Department of the Interior Water Acquisition Program

Background Information Sheet



November 2003

HISTORY AND BACKGROUND

On October 30, 1992, the Central Valley Project Improvement Act (CVPIA) was signed into law. The act modified the priorities for managing water resources of the Central Valley Project (CVP), a major link in California's water supply network. CVPIA amended previous authorizations of the CVP to include fish and wildlife protection, restoration, and enhancement as project purposes having equal priority with agriculture, municipal and industrial, and power purposes. A major feature of CVPIA is that it requires acquisition of water for protecting, restoring, and enhancing fish and wildlife populations.

To meet water acquisition needs under CVPIA, the U.S. Department of the Interior (Interior) has developed a Water Acquisition Program (WAP), a joint effort by the Bureau of Reclamation (Reclamation) and the U.S. Fish and Wildlife Service (FWS).

PROGRAM OBJECTIVES

The WAP acquires water to meet two purposes: (1) Level 4 refuge water supplies and (2) instream flows.

ACQUISITION OF LEVEL 4 REFUGE WATER SUPPLIES

CVPIA requires Interior to acquire additional water supplies to meet optimal waterfowl habitat management needs at national wildlife refuges in California's Central Valley, certain State wildlife management areas, and the Grassland Resource Conservation District (collectively known as refuges). The optimum water supply levels are referred to as Level 4. The WAP goal is to acquire up to 163,000 acre-feet annually to meet full Level 4 requirements at the refuges. Typical annual water acquisition

<u>Refuges To Receive Level 4 Water Supplies</u>	
Sacramento National Wildlife Refuge	Gray Lodge Wildlife Area
Delevan National Wildlife Refuge	North Grasslands Wildlife Area
Sutter National Wildlife Refuge	Volta Wildlife Area
San Luis National Wildlife Refuge	Los Banos Wildlife Area
Merced National Wildlife Refuge	Mendota Wildlife Area
Kern National Wildlife Refuge	Grasslands Resource Conservation District
Pixley National Wildlife Refuge	

needs are somewhat less since refuge water supplies are partially met in most years by rainfall, runoff, and/or local supplies. Also, some refuges have not historically been able to receive full Level 4 supplies due to a lack of water delivery systems.

ACQUISITION OF INSTREAM FLOWS

A key CVPIA restoration goal is to double the natural production of anadromous fish (fish that return to rivers to reproduce) in Central Valley rivers and streams. To meet this goal an Anadromous Fish Restoration Program (AFRP) has been developed by FWS that includes recommendations for increasing flows to complement other habitat restoration activities intended to improve conditions for anadromous

fish. The WAP acquires water from willing sellers to increase instream flows for fish in support of the AFRP.

As a part of CVPIA long-range planning efforts to increase stream flows, FWS is currently conducting ongoing studies related to three key issues: biological needs of anadromous fish, hydrological characteristics of targeted streams (including reservoir operations), and economic considerations. This information will be used to establish which streams have the highest priority need for additional flows and how much water is needed on each of those streams.

To date, the WAP has acquired water primarily from the San Joaquin River Group Authority (SJRGA) and its member agencies. These transfers provide additional spring and fall fishery flows on the Stanislaus, Tuolumne, Merced, and lower San Joaquin rivers. Until 1999 these flows were negotiated on an annual basis. In 1999 a long-term agreement known as the San Joaquin River Agreement (SJRA) was signed establishing water acquisitions for the next 11 years from SJRGA. These water acquisitions support the Vernalis Adaptive Management Plan (VAMP) which is a scientifically based fishery management plan to determine the relationships between flows, exports, and other factors on fish survival in the Delta. Under this agreement the amount of flows to be purchased to meet VAMP requirements are determined for each year using established hydrologic criteria.

In addition, increased fishery flows have been provided on Battle Creek and its tributaries through reductions in hydropower generation to PG&E's Battle Creek Project. Since 1995, through a partnering arrangement, Reclamation has partially compensated PG&E for maintaining minimum year-round flow rates in tributaries to Battle Creek.

ACQUISITION PROCESS

The WAP water acquisition process starts with willing sellers, i.e., water districts or other entities that hold water rights and are willing to transfer their water rights (either temporarily or permanently) to the U.S. Department of the Interior. Once a seller has come forward, the WAP requests a preliminary written proposal with sufficient information to evaluate the potential acquisition. This may include information on water quantity and source, delivery schedule, duration of availability, conveyance facilities, known environmental impacts related to the sale, and other parties that may have an interest in the transfer.

If the acquisition is to be pursued, environmental considerations are addressed through compliance with the National Environmental Policy Act (NEPA), Endangered Species Act, and other applicable environmental laws. NEPA environmental documentation includes preparation of either an Environmental Assessment/Finding of No Significant Impact, or an Environmental Impact Statement/Record of Decision. Members of the public, state and federal agencies, and other interested parties have the opportunity to review and comment on draft environmental documents before they are finalized. Throughout the water acquisition process, the public and other interested parties have the opportunity to become involved in the process. The water acquisition process is complete when the environmental documentation is finalized and a water acquisition agreement/contract identifying the purchase price and conditions of sale is approved.

WAP LONG-TERM GOALS

The WAP's goals are to acquire water on a long-term basis to provide certainty in water supplies, and to reduce the administrative costs involved in conducting these acquisitions on an annual basis. The WAP is currently developing strategies and criteria for obtaining long-term contracts for water supplies. It is recognized that some short-term contracts for water acquisitions to meet Level 4 water needs may also be necessary because of annual fluctuations in water demand and availability.

To avoid competition and increase efficiency, the WAP is working closely with other water acquisition programs such as the CALFED Environmental Water Program (EWP) and Environmental Water Account, and the State's proposed drought planning program. Due to the similarities between the CVPIA program to acquire instream flows and the EWP, there are significant benefits in coordinating these two programs. A WAP (CVPIA)/EWP (CALFED) coordination plan is being developed to describe where, when, and how the two programs can and should act in partnership.

SOURCES OF FUNDING

The WAP is funded through the Central Valley Project Restoration Fund (Restoration Fund) and Federal Energy and Water Appropriations Bills. CVPIA established the Restoration Fund, which obtains revenues from fees paid by CVP water and power contractors. The Restoration Fund can also accept donations from any source. Also, Proposition 204 (Safe, Clean, Reliable Water Supply Act) funds are available to meet the State's cost share necessary to implement CVPIA. CALFED funding may also be available for water acquisitions that meet CALFED objectives.

ADDITIONAL INFORMATION

For additional information on the WAP, call Reclamation at 916-978-5203, or visit the WAP website at www.usbr.gov/mp/cvpia/3406b3_wap/. You can also write to the Bureau of Reclamation, WAP Program Manager, MP-410, Division of Resources Management, 2800 Cottage Way, Sacramento, California 95825-1898 or e-mail LCoella@usbr.gov.