Draft CVPIA Fiscal Year 2010 Annual Work Plan

October 1, 2009

Program Title

Contra Costa Canal Pumping Plant Mitigation Program Section 3406(b)(5) Contra Costa Canal Intake Fish Screening Project

Responsible Entities

Staff Name	Agency	Role
J. Carl Dealy	USBR	Lead, Project Manager
Dan Meier	USFWS	Interim Co-Lead

Program Goals and Objectives for FY 2010

This program is in response to the requirements of Section 3406(b)(5) of the CVPIA and the U. S. Fish and Wildlife Service's 1993 Biological Opinion for the threatened Delta smelt. The program is also referenced in the Operations Criteria and Plan (OCAP) Biological Opinion (BO).

As new fish species were listed, authorized incidental take for Contra Costa Water District's diversions (including Rock Slough) were included in the OCAP BO for the long-term operations of Central Valley Project and State Water Project, most recently June 4, 2009. A decision by Reclamation and FWS as to screening Rock Slough has been delayed several times due to funding and appropriate land acquisition. On April 15, 2009, Secretary of the Interior Ken Salazar announced that $20 million of American Recovery and Reinvestment Act (ARRA) funding was being allocated to build a new Contra Costa Canal fish screen. The proposed project would eliminate the annual incidental take of ESA listed species due to project pumping effects as described in previous NMFS and FWS Biological Opinions. The proposed project tiers off of the CVPIA programmatic Biological Opinion, and is consistent with the OCAP BO issued June 4, 2009

The major objectives remain: 1) Minimize the entrainment of fish resources associated with the diversion of water at the Rock Slough Intake of the Contra Costa Canal; 2) Reduce potential predation on target species in the Rock Slough Intake (Species Benefited - Chinook Salmon (fall- and winter-run), Steelhead, Sturgeon (white and green), Striped Bass, American Shad, Delta and Longfin smelt, Sacramento splittail, and Sacramento blackfish); 3) Design and build a fish screen that minimizes take of endangered species and debris loading.

The Contra Costa Program integrates directly and indirectly with other CVPIA programs. Contra Costa Pumping Plant Mitigation actions benefit delta fisheries. Consequently, the

benefit is shared by the Tracy Fish Test Facility, CVPIA (b)(4), as well as the Anadromous Fish Screen Program CVPIA (b)(21). Apart from CVPIA programs, the work benefits Central Valley ESA actions including the Contra Costa Water District Canal Replacement Project, Alternative Intake Project, Contra Costa County Habitat Conservation Plan as well as East Bay Regional Park District.

Status of the Program

Reclamation proposes to build a fish screen structure approximately 320 feet long located at the entrance to the Contra Costa Canal in Rock Slough. The fish screen is designed for a flow rate of 350 cubic feet per second (cfs), however, because it is located in a tidally influenced portion of the Delta, flows within the canal can be as high as 600 cfs. A control structure may be built behind the fish screen to minimize tidal effects and meet the velocity criteria. The approach velocity is designed for no more than 0.2 feet per second and a screen size of 2/32 inch or 1.75 millimeter (mm) wedge wire slot openings. The screen size is more restrictive than the NMFS criteria (i.e., 3/32 inch or 2.25 mm) in order to protect larval delta smelt. The screens will be cleaned by 4 automated trash rakes, or brushes. Debris will be moved via a conveyor belt to a temporary storage dumpster that can be hauled offsite. The height of the structure will be approximately 14 feet extending from 7.6 feet below mean sea level to an elevation of 6.4 feet above mean sea level. The operating deck will be built of precast concrete with slots for fish monitoring. Adjustable baffles on the downstream side of the fish screen will provide a uniform approach velocity.

Maintenance and operations will be managed by the Contra Costa Water District (CCWD). Periodic dredging may be required to remove sediment build up in front of the fish screen. A post-construction evaluation and monitoring plan will be developed prior to start of operations. An onsite electrical building is planned for instruments and controls used to operate the screens.

The program tasks for FY 2010 are enumerated below.

1.1 Program Management - Planning, budget oversight, and coordination of all activities and offices associated with this comprehensive fish screen project is accomplished by the Program Manager, task managers, and support staff. Coordination with regulatory agencies is also included under this item.

1.3 Construction Contract Administration – Monitoring and management of the construction contract, including needed inspections.

1.6 Land Acquisition - This includes all land easement and in-fee acquisition activities, including coordination of right-of-way assessments, negotiations with land owners, appraisal needs, coordination with other affected land owners, and condemnation activities if required.

1.10 Complete Designs – Final design is complete. A second Value

Engineering Study will be conducted to identify alternative construction methods. Final design will include preparation and distribution of a bid specification package, and award of contract. (Presently, funds are sufficient for FY2010 to work on this task.)

1.11 Construct the Fish Screen - Involves initiation of construction by contractor, construction management, construction and contract support. Contractors will be utilized for construction of the fish screen. (Funds not sufficient, construction delayed)

1.12 Monitoring and Evaluation – Includes the current monitoring program under the provisions of the ESA. Post construction monitoring to be specified.

FY 2009 Accomplishments

A. Fish Monitoring

1. Contra Costa Water District contracted for the monitoring of the Rock Slough to conform to the monitoring plan developed with the assistance of State of California Department of Fish and Game (CDFG). Implementation of the plan began in FY2004 and will continue indefinitely.

B. Regulatory Process

1. Continued discussions with the US Fish and Wildlife Service (USFWS) and refined the letter permitting our operation beyond the year 2008 in the absence of a screening facility. This includes mitigation for each year that Reclamation extends/survey actions related to listed species impacted by the CVP.

2. USACE,Clean Water Act, Section404 Permit, Letter of Permission

3. ESA Letters to NMFS and USFWS

4. SHPO review and approval

5. Supplemental NEPA

6. CVRWQCB, Clean Water Act Section 401 WQ Certification

7. CVRWQCB, Water Quality Order No. 2003-003-DWQ for Construction Dewatering

8. DFG, Fish and Game Code Section 1602 Streambed Alteration Agreement

9. CEQA Addendum, Notice of Determination (NOD)

C. Design

1. Completed the updated design for the Contra Costa Fish Screen at Rock Slough. Phase 2 of the project was designed primarily by CCWD in consultation with Reclamation TSC. Phase 3 Specification B was delivered to Contracting in August. Updates included bringing specifications in line with current construction code.

D. Land Acquisition

1. CCWD Real Property and Watershed Lands Management Negotiated temporary access for investigations (Wetlands and Engineering and Environmental surveys).

2. Condemnation papers drawn up for all temporary and permanent construction as well as permanent fee title lands associated with the project.

3. The court issued orders giving us possession of all four properties as requested, effective September 1, 2009. The next step is negotiated settlement with the landowners.

Table 1. FY 2010 Tasks, Costs, Schedules and Deliverables

Task or Subtask Number	Name of Activity	FTE	Description of Activity	Completion Date	Restoration Fund Anticipated	Water and Related Resources Anticipated*	State or Other Sources Anticipated	Total All Sources Anticipated
1.1	**Program Management**							
1.1.1		0.81	Program Manager. All actions are in response to the requirements of Section 3406 (b)(5) of the CVPIA and the U.S Fish and Wildlife Service's 1993 Biological Opinion for the threatened Delta smelt. The program is also referenced in the OCAP Biological Opinion. Responsibilities include coordination of all technical support, budgeting and planning.	9/30/2010	$0	$70,000	$0	$70,000
	Subtotal Costs	0.81			$0	$70,000	$0	$70,000
1.2	**Program Support**							
1.2.1		1.88	MP-3600, MP3800, Cooperative Agreement, Contracting Support	9/30/2010	$0	$150,000	$0	$150,000
1.2.2		0.63	Other Program Support - ARRA	9/30/2010	$0	$50,000	$0	$50,000
	Subtotal Costs	2.51			$0	$200,000	$0	$200,000
1.3	**Technical Support**							
1.3.1		2.50	Denver TSC, Design and Construction Support	9/30/2010	$0	$200,000	$0	$200,000
1.3.2		2.50	MP-200, Design Data and Contract Management	9/30/2010	$0	$200,000	$0	$200,000
1.3.3		11.25	MPCO Construction Management	9/30/2010	$0	$900,000	$0	$900,000
1.3.4		0.88	Site Management	9/30/2010	$0	$70,000	$0	$70,000
	Subtotal Costs	17.13			$0	$1,370,000	$0	$1,370,000
1.6	**Land, Water, and Conveyance Acquisitions**							
1.6.1			Includes all land easement and in-fee acquisition activities, including coordination of right-of-way assessments, negotiations with land owners, appraisal needs, coordination with other affected land owners, and condemnation activities if required	9/30/2010	$0	$150,000	$0	$150,000
	Subtotal Costs				$0	$150,000	$0	$150,000
1.10	**Design**							
1.10.1			Contractor, Design and Modifications	9/30/2010	$0	$74,000	$0	$74,000
	Subtotal Costs				$0	$74,000	$0	$74,000

Task or Subtask Number	Name of Activity	FTE	Description of Activity	Completion Date	Restoration Fund Anticipated	Water and Related Resources Anticipated*	State or Other Sources Anticipated	Total All Sources Anticipated
1.11	**Construction**							
1.11.1			Cooperative Agreement, Phase II	9/30/2010	$0	$3,526,000	$0	$3,526,000
1.11.2			Phase II Construction Contingencies	9/30/2010	$0	$360,000	$0	$360,000
1.11.3			Construction Phase III, Contract	9/30/2010	$0	$21,000,000	$0	$21,000,000
1.11.4			Phase III Construction Contingencies	9/30/2010	$0	$3,000,000	$0	$3,000,000
	Subtotal Costs				$0	$27,886,000	$0	$27,886,000
1.12	**Monitoring**							
1.12.1			Monitoring at Rock Slough Canal and pump	9/30/2010	$0	$103,000**	$0	$103,000
	Subtotal Costs				$0	$103,000	$0	$103,000
	Total Costs	**20.45**			**$0**	**$29,853,000**	**$0**	**$29,853,000**
	Reclamation Total	20.45			$0	$29,853,000	$0	$29,853,000
	Service Total				$0	$0	$0	$0

The FY 2010 funding will come primarily through ARRA. Current funding is 20 million; however, a variance was filed in July 2009 for the shortage of 18.2 million for a project total of 38.2 million.

* ARRA Funding - Facilitating Services, Investigations, Design and Specifications, Construction and Construction Supervision.

** Monitoring is an ongoing expense, not ARRA

Table 2. Budget Breakout

Task	Agency	FTE	LABOR		CONTRACTS		USBR Only Misc. Costs	Total Costs
			Direct Salary, Benefits, and Admin. Costs [1/]	FWS Only Overhead Assess: 22% of Direct Salary and Benefits Costs [2/]	Contract, Grant, and Agreement Costs	FWS Only Overhead Assess: 6% Contract Costs [2/]		
1.1 Program Management	FWS		$0	$0	$0	$0		$0
	USBR	0.81	$70,000		$0		$0	$70,000
1.2 Program Support	FWS		$0	$0	$0	$0		$0
	USBR	2.51	$200,000		$0		$0	$200,000
1.3 Technical Support	FWS		$0	$0	$0	$0		$0
	USBR	17.13	$1,370,0000		$0		$0	$1,370,000
1.6 Land, Water and Conveyance Acquisitions	FWS		$0	$0	$0	$0		$0
	USBR		$0		$150,000		$0	$150,000
1.10 Design	FWS		$0	$0	$0	$0		$0
	USBR		$0		$74,000		$0	$74,000
1.11 Construction	FWS		$0	$0	$0	$0		$0
	USBR		$0		$27,886,000		$0	$27,886,000
1.12 Monitoring	FWS		$0	$0	$0	$0		$0
	USBR		$0		$103,000		$0	$103,000
Administrative Total - FWS			$0	$0		$0		$0
Contracts, Grants and Agreements Total - FWS					$0			$0
FWS Total Costs		0	$0	$0	$0	$0		$0
Administrative Total - USBR			$1,640,000				$0	$1,640,000
Contracts, Grants and Agreements Total - USBR					$28,213,000			$28,213,000
USBR Total Costs		20.45	$1,640,000		$28,213,000		$0	$29,853,000
TOTAL ALL		**20.45**	**$1,640,000**	**$0**	**$28,213,000**	**$0**	**$0**	**$29,853,000**

1/ For FWS only: The FWS develops a bio-rate which is the combination of both the salary/benefit and related administrative costs. The FWS simple definition reads, "It is an average $$ rate that is developed and used for estimating project costs. It incorporates a biologists' salary and benefits, supervisory, clerical and biologist support costs and all other office operating costs related to completing project tasks.

2/ FWS assesses an O/H Burden charge of 6% on all contracts/agreements related to budget object codes starting with 25, 41, and 32, and a charge of 22% on costs under all other budget object codes.

Table 3. Three- Year Budget Plan FY 2011 – 2013

($ amounts in thousands)

Year	Description of Activities	Requested RF Funding	Requested W&RR Funding
2011	Design, Engineering, Public Involvement, Environmental Compliance, Pre-Construction	$0	$3,000*
2012	Construction, Inspection, Environmental Compliance.	$0	$100
2013	Construction, Inspection, Environmental Compliance.	$0	$100

Note: The FY 2011 – 2013 Budget Plan provides estimates of capability only. The amounts are displayed are those that might be reasonably appropriated each year. These figures do not reflect the future Congressional Appropriations process. All of these estimates will be adjusted annually as RF collections are realized.

*The 2 million in FY2011 is residual construction cost. All construction will be completed in FY10.