

Draft CVPIA Fiscal Year 2009 Annual Work Plan

December 1, 2008

Water Acquisition Program - CVPIA Section 3406(b)(3), (d)(2) and (g)

Responsible Entities

Staff Name	Agency	Role
Mike Heaton	USBR	Program Manager
Dale Garrison	USFWS	Refuge Co-lead
Vacant	USFWS	Instream Co-lead

Program Goals and Objectives for FY 2009

The major objectives of the program are as follows:

- 1.6.1 To provide supplemental water for refuges referred to as Incremental Level 4, for critical wetland habitat supporting resident and migratory waterfowl, threatened and endangered species, and wetland dependent aquatic biota.
- 1.6.2 To acquire and manage instream flows in support of the Vernalis Adaptive Management Plan (VAMP) and the San Joaquin River Agreement (SJRA).
- 1.6.3 To acquire instream flows to improve spawning and rearing habitat and increase migration flows for fall-, winter- and spring-run Chinook salmon and steelhead, in support of the Anadromous Fish Restoration Plan and in coordination with the CALFED Environmental Water Account or similar environmental water programs.

Source Documents

- Title 34 (CVPIA)
- CVPIA Programmatic Record of Decision
- Report on Refuge Water Supply Investigations – March 1989
- San Joaquin Action Plan Report - 1989
- Anadromous Fish Restoration Plan (AFRP)
- 1999-2003 Five Year Plan for AFRP and Water Acquisitions Program (WAP)
- Annual CVPIA Accomplishment Reports

Status of the Program

In FY08, the WAP continued efforts to:

Refuges

Provide supplemental refuge water supplies (Incremental Level 4) through purchases from willing sellers. This consisted of annual purchases from the San Joaquin River Exchange Contractors Water Authority (Exchange Contractors), Stevinson and Grassland Water Districts.

As a supplement to surface water acquisitions, the WAP continues to look at the potential for using groundwater to lower costs and increase reliability of providing supplemental refuge water supplies. In FY08, WAP completed a groundwater water acquisition agreement with Grassland Water District.

The WAP has also been involved in development of a "Refuge Water Quality Best Management Practices (BMP) Plan". Refuge Water Quality BMPs are being developed consistent with the requirement in CALFED legislation (H.R. 2828) to develop a BMP Plan to reduce the water quality impacts of the discharges of refuges that receive federal water and discharge into the San Joaquin River. Funding has been provided to implement a water quality monitoring program. The final BMP Plan is expected in the winter of 2009.

In August 2008, WAP entered into an agreement with Grassland Water District (GWD), in cooperation with the Department of Fish and Game and the Fish and Wildlife Service, to implement a three year water quality monitoring program on lands within the Grassland Ecological Area (GEA) that receive Central Valley Project (CVP) water in accordance with CVPIA. The agreement will include monitoring sites with Grassland Water District and on lands of the California Department of Fish and Game and Fish and Wildlife Service. The study will monitor the volume of water, as well as salt load of all major water sources entering the wetlands and all major outflows draining from the region. Data from this monitoring effort will provide information to land use managers which will serve to better understand the dynamics of water quantity and quality used to manage the GEA.

Fisheries - In-stream

The Water Acquisition Program manages an agreement with the San Joaquin River Group Authority (SJRG) and its member agencies to provide additional spring and fall fishery flows on the Stanislaus, Tuolumne, Merced, and lower San Joaquin rivers. This water is used in support of the San Joaquin River Agreement (SJRA) and 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 Sacramento-San Joaquin Delta. The increased flows benefit numerous resident and anadromous fish species but are acquired primarily to benefit Chinook salmon. Central Valley Chinook salmon constitute the majority of salmon produced in California, and at times have accounted for 70% or more of the statewide commercial harvest.

The SJRA and VAMP will continue as an on-going requirement through 2009. An “Annual Technical Report” is issued by the SJRGA consisting of a consolidated annual SJRA Operations Report and VAMP Monitoring Report. This report includes conclusions regarding biological benefits and program objectives, and recommended modifications to the VAMP experimental program implementation.

FY 2008 Accomplishments

Instream

Pursuant to VAMP/SJRA, WAP acquired 12,500 acre feet from Merced ID in fall 2007 (FY 2008) for fall attraction flows and habitat improvement in the Merced and lower SJR. In addition, 72,250 acre feet was provided for the VAMP pulse flow in Apr/May of 2008, and WAP was able to acquire 18,740 acre feet from Oakdale ID (of which 3,740 acre feet was “difference water”) for the Stanislaus and lower SJR to support flow requirements, water quality and other authorized New Melones purposes.

In 2008, the WAP purchased 10,000 acre feet of Instream Flow to benefit Delta Smelt. (6,000 acre feet were purchased from South San Joaquin Irrigation District and 4,000 acre feet from Oakdale Irrigation District.)

Incremental Level 4

FY 2008 was the third year of a 5-Year Agreement with the Exchange Contractors, San Luis & Delta-Mendota Water Authority and Madera Irrigation District for the annual purchase of up to 80,000 acre feet of Exchange Contractors transfer water. Pursuant to the agreement, WAP acquired 24,132 acre feet from the Exchange Contractors.

In 2008, WAP entered into a three year agreement with Stevinson Water District for the acquisition of approximately to 8,800 acre feet a year, beginning in September 2008, for delivery to the East Bear National Wildlife Refuge (NWR). In FY08 6,563 acre feet of water was purchased.

In 2008, WAP entered into a three year agreement with Grassland Water District for the acquisition of 10,000 acre feet per year of Incremental Level 4 refuge water, beginning in September 2008.

In the last 5 years, WAP has been able to acquire on average 66,000 acre feet per year for refuge needs. In FY 2008, due to the dry year and unavailability of water for sale, along with WAP’s funding constraints, the program was able to purchase less than 40,000 acre feet of water.

Table 1. FY 2009 Tasks, Costs, Schedules and Deliverables

Task or Subtask Number	Name of Activity	FTE's	Description of Activity	Completion Date	Total Cost	Funding Source Restoration Fund	Funding Source Water & Related Resources
1.1	Program Management						
1.1.1		1.0	Program Manager/USBR: Provides oversight for all aspects of the Water Acquisition Program (Program). Serves as primary contact and coordinator for the Program. Represents the Program at various internal and external meetings. Prepares and provides presentations on the program at various internal and external meeting. Provides guidance and oversight to the technical support personnel on contracting, budget and environmental issues. Primary responsibility for long and short term program strategy. (High) .75 FTE/\$161,656 L4 (12056050) .05 FTE/\$10,899 Instrm (12056051) .20 FTE/\$43,204 VAMP (02142030)		\$215,759	\$215,759	\$0
	<u>Subtotal Costs</u>	-			\$215,759	\$215,759	\$0
1.2	Program Support						
1.2.1		1.0	Water Acquisition Spec/USBR: Consults with water rights, water transfers, area office personnel, solicitor's office, etc., in order to negotiate, prepare and administer water acquisition contracts. Coordinates refuge delivery schedules with refuge personnel, area office personnel, CVO and DWR. Tracks and monitors all obligations and expenditures. (High) .75 FTE/\$132,615 L4 (12056050) .05 FTE/\$7,738 Instrm (12056051) .20 FTE/\$34,737 VAMP (02142030)		\$175,090	\$175,090	\$0
1.2.2		0.47	Environmental Specialist/USBR: Ensure environmental compliance for certain water acquisition projects as needed. (High) .42 FTE/\$131,158 L4 (12056050) .05 FTE/\$7,738 Instrm (12056051)		\$138,896	\$138,896	\$0
1.2.3		0.03	CVO Hydrologist: Provides assistance on VAMP (0214-2030) (High)		\$8,000	\$8,000	\$0

Task or Subtask Number	Name of Activity	FTE's	Description of Activity	Completion Date	Total Cost	Funding Source Restoration Fund	Funding Source Water & Related Resources
1.2.4		0.02	Contract Specialist/MP-3800: Administer coop/interagency agrmts for water quality monitoring (\$3K 1205-6050 & \$3K 0214-2030) (High)		\$6,000	\$6,000	\$0
1.2.5		0.01	MP-157: Provide technical assistance for coop/interagency agreements for water quality monitoring (1205-6050) (High)		\$3,000	\$3,000	\$0
1.2.6		.5	Refuge Co-lead USFWS: Provides technical support as needed for refuge water acquisitions (High)		\$300,363	\$300,363	\$0
		1.0	Instream Co-lead USFWS: Provides technical support as needed for Instream water acquisitions (High) (1205-6050) (\$100,121) (1205-6051) (\$200,242)				
	<u>Subtotal Costs</u>				\$631,349	\$631,349	\$0
1.6	Water Acquisitions						
1.6.1.			FY09 is the 3rd year of a 5 year agreement with the SJR Exchange Contractors for Incremental Level 4 refuge water supplies; annual qty and price vary depending on the South of Delta agricultural allocation. Estimated purchase of 30k af at \$180 per af. (1205-6050) (High)	Feb 2009	\$5,400,000	\$5,400,000	\$0
1.6.1.1			Acquire up to 8,863 acre feet of Level 2 water from Stevinson Water District for East Bear NWR, to be exchanged for Inc Level 4 water. Total FY09 request has been reduced by available FY08 funds. (1205-6050) (High)	Feb 2009	\$530,000	\$530,300	\$0
1.6.1.2			Acquire up to 10,000 acre feet of Level 4 water from Grassland Water District. Total FY09 request has been reduced by available FY08 funds. (1205-6050) (High)	Feb 2009	\$202,500	\$202,500	\$0
1.6.1.3			Acquire Incremental Level 4 refuge water. Quantity is dependent on cost per acre foot, availability of funding, and willing sellers. Estimating cost at \$200 per acre feet, current funding would allow WAP to acquire approx 3,629 acre feet of Incremental Level 4. This is in addition to planned acquisitions noted above. (1205-6050) (Med)	Unknown	\$725,800	\$725,800	\$0
1.6.1.4			Unfunded Need - An additional \$16,000,000 would acquire 80,000 acre feet of Incremental Level 4 refuge water. (1205-6050) (Med)	Unknown	\$16,000,000	\$16,000,000	\$0

Task or Subtask Number	Name of Activity	FTE's	Description of Activity	Completion Date	Total Cost	Funding Source Restoration Fund	Funding Source Water & Related Resources
1.6.2			Agreement with the San Joaquin River Group Authority for VAMP/SJRA (0214-2030) (High)				
1.6.2.1			VAMP pulse flow. Up to 110,000 acre feet is provided depending on hydrology and amount required to meet the target flows. Balance of actual need to be funded with Double Step Funding in the amount of \$1,117,181 (0214-2030) (High)	12/31/2009	\$3,770,059	\$3,770,059	\$0
1.6.2.2			Instream supplemental flows under SJRA. Up to 26,000 acre feet is acquired from Oakdale each year depending on hydrology and 15,000 acre feet from Merced ID. Balance of actual need to be funded with Double Step funding in the amount of \$740,742. (1205-6051) (High)	6/30/2009	\$1,773,383	\$1,773,383	\$0
1.6.2.3			Doublestep to supplement VAMP flows, up to 47,000 acre feet. (0214-2030) Reduced to fund shortfalls: CAMP - \$700,000 (Med) VAMP pulse flows \$1,117,181(High) Instream Mand. \$740,742 (High) Instream Volunt \$242,077 (Med)	5/30/2009	\$2,800,000	\$2,800,000	\$0
1.6.3			Unfunded Need - Instream acquisitions other than VAMP/SJRA. (1205-6051) (Med)	Unknown	\$657,923	\$657,923	\$0
	<u>Subtotal Costs</u>		Not including unfunded needs.		\$15,201,892	\$15,201,892	\$0
1.7	Outreach and Public Involvement						
1.7.1			WAP meets frequently with the IRWMT (comprised of Reclamation, FWS, DFG and Grassland WD) to discuss refuge water issues including water acquisitions, water needs, delivery schedules). WAP meets on a regular basis with the Central Valley Joint Venture water committee to discuss a wide range of refuge issues. Limited availability of water and funding constraints have been identified as major issues/concerns. Generally meet twice a year with CVPIA stakeholders to discuss work plans for the fiscal year and provide status updates. Funding included under program management and technical support.		\$0	\$0	\$0
	<u>Subtotal Costs</u>				\$0	\$0	\$0
1.8	Planning						
			Continue pilot aquifer pump tests and water quality monitoring program at various refuges to further explore a groundwater conjunctive use program. (1205-6050) (Med)	9/1/2009	\$100,000	\$100,000	\$0
	<u>Subtotal Costs</u>				\$100,000	\$100,000	\$0

Task or Subtask Number	Name of Activity	FTE's	Description of Activity	Completion Date	Total Cost	Funding Source Restoration Fund	Funding Source Water & Related Resources
1.9	Environmental Compliance						
1.9.1			Ensure that water acquisition projects are in compliance. E.A.s or other environmental documents may need to be prepared for water acquisitions, groundwater projects, etc. The cost for the environmental documents is under labor cost for technical support, task 1.2.2.	9/1/2009	\$0	\$0	\$0
	<u>Subtotal Costs</u>				\$0	\$0	\$0
1.12	Monitoring						
1.12.1			Provide funding for a portion (50%) of the VAMP monitoring cost. This includes the 25% of the cost that Reclamation and the FWS are responsible for and 25% that the State of California is responsible for of which the States reimburses Reclamation via SCAMPI. WAP administers cooperative agreement with San Joaquin River Group Authority (SJRGGA) to provide monitoring and issue a technical report each year. The report is posted on SJRGGA's website and CD's are provided to numerous stakeholders and interested parties. The annual report summarizes the previous year's SJRA/VAMP program. The report provides conclusions and recommendations for the program technical and monitoring elements. The SJRA/VAMP Policy and Technical Teams consider the recommendations identified in the annual report for incorporation into the current year's VAMP monitoring program. (0214-2030) (High)		\$300,000	\$300,000	\$0
			USGS provides monitoring assistance with VAMP (0214-2030) (High)		\$200,000	\$200,000	\$0
1.12.2			Real time water quality monitoring at South of Delta refuges per agreement with DFG/GWD in accordance with the proposed Regional Board Management Agency Agreement and refuge BMP;s (1205-6050) (Med)		\$500,000	\$500,000	\$0
	<u>Subtotal Costs</u>				\$1,000,000	\$1,000,000	\$0
	Total Costs				\$17,149,000	\$17,149,000	\$0
	Service Cost				\$300,363	\$300,363	\$0
	Reclamation Cost				\$16,848,637	\$16,848,637	\$0
	Potential 15% funding cut		Taken from tasks 1.6.1.3, 1.6.2.3, 1.8, 1.12.2		-\$2,568,027	-\$2,568,027	\$0

Task or Subtask Number	Name of Activity	FTE's	Description of Activity	Completion Date	Total Cost	Funding Source Restoration Fund	Funding Source Water & Related Resources
			Unfunded Need for inc L4		-\$16,000,000	-\$16,000,000	\$0
			Unfunded Need for instream - other		-\$657,923	-\$657,923	\$0
			Unfunded Need for Planning		\$0	\$0	\$0

Table 2. Budget Breakout

Task	Agency	FTE	LABOR			CONTRACTS			Misc. Costs	Total Costs
			Direct Salary and Benefits Costs	Overhead Costs on Salary & Benefits (35%)	FWS Overhead Assess: 22% of Direct Salary and Benefits Costs	Contract, Grant, and Agreement Costs	FWS Overhead Assess: 6% Contract Costs			
1.1 Program Management	USFWS		0	0	0	0	0	0	0	
	USBR	1	135,798	79,960	0	0	0	0	215,759	
1.2 Program Support	USFWS	1.5	246,198	0	54,165	0	0	0	300,363	
	USBR	1.53	220,657	110,329	0	0	0	0	330,986	
1.6 Land, Water and Conveyance Acquisitions	USFWS		0	0	0	0	0	0	0	
	USBR		0	0	0	15,201,892	0	0	15,201,892	
1.7 Outreach and Public Involvement	USFWS		0	0	0	0	0	0	0	
	USBR		0	0	0	0	0	0	0	
1.8 Planning	USFWS		0	0	0	100,000	0	0	100,000	
	USBR		0	0	0	0	0	0	0	
1.11 Construction	USFWS		0	0	0	0	0	0	0	
	USBR		0	0	0	0	0	0	0	
1.12 Monitoring	USFWS		0	0	0	0	0	0	0	
	USBR		0	0	0	1,000,000	0	0	1,000,000	
USFWS Total Costs		1.5	246,198	0	54,165	0	0	0	0	
USBR Total Costs		2.53	356,455	190,289	0	16,360,743		0	16,848,637	
TOTAL ALL		3.53	602,653	190,289	54,165	16,301,892	0	0	17,149,000	

Table 3. Three Year Budget Plan FY 2010 – 2012

Year	Description of Activities	Requested RF Funding	Requested W&RR Funding
2010	Incremental Level 4 water for refuges (100K @ \$200) VAMP flows for SJRA Instream water purchases for SJRA Total Request	\$20,000,000 \$10,000,000 \$2,000,000 \$32,000,000	
2011	Incremental Level 4 water for refuges (100K @ \$225) VAMP flows for SJRA Instream water purchases for SJRA Total Estimate	\$22,500,000 \$10,000,000 \$2,500,000 \$35,000,000	
2012	Incremental Level 4 water for refuges (100K @ \$250) VAMP flows for SJRA Instream water purchases for SJRA Total Estimate	\$25,000,000 \$10,000,000 \$3,000,000 \$38,000,000	

Note: The FY 2010 – 2012 Budget Plan provides estimates of capability only. The amounts are displayed are those that might be reasonably appropriated each year. The annual RF budgets are estimates and these figures do not reflect the future Congressional Appropriations process. All of these estimates will be adjusted annually as RF collections are realized.

Notes: WRR – Water and Related Resources Appropriations
RF- Restoration Fund (Section 3407)
State – State of California cost share funding

Additional assumptions:

RF funds are to acquire 100,000 acre feet of Incremental Level 4 refuge water supplies for San Joaquin Valley refuges estimating a \$200 per acre foot beginning in FY2010 and expected price increases in 2011 and 2012. **Task 1.6.1**

RF funds also support VAMP/SJRA. VAMP/SJRA terminates in 2009. However the assumption is that the agreement may be extended or revised beyond this date for two more years. **Task 1.6.2**

State funds were provided for VAMP through 2008. However there is a possibility that the State will not continue to cost share beyond 2009. **Task 1.6.2**