

# Draft CVPIA Fiscal Year 2012 Annual Work Plan

**September 13, 2011**

## **Program Title**

San Joaquin River Comprehensive Plan – CVPIA Section 3406(c)(1)

## **Responsible Entities**

<b>Staff Name</b>	<b>Agency</b>	<b>Role</b>
Alicia Forsythe	Reclamation	Program Lead
Robert Clarke	USFWS	Program Co-Lead
Rhonda Reed	NMFS	Federal Partner
Kevin Faulkenberry	CA Department of Water Resources	State Partner
Gerald Hatler	CA Department of Fish and Game	State Partner

## **Program Goals and Objectives for FY 2012**

- A. Develop a comprehensive plan to reestablish and sustain naturally reproducing salmon in the San Joaquin River below Friant Dam, consistent with the September 13, 2006 Stipulation of Settlement (Settlement) for *NRDC, et al., v. Rodgers, et al.*, and with Section 3406(c)(1).**

The San Joaquin River Restoration Program (Restoration Program) is a comprehensive, long-term effort to restore flows to the San Joaquin River from Friant Dam to the confluence of the Merced River, in order to create a self-sustaining Chinook salmon fishery in the river, while reducing or avoiding adverse water supply impacts from restoration flows. The Program implements the Stipulation of Settlement in *NRDC, et al., v. Rodgers, et al.*, which resolved 18 years of litigation related to Reclamation's operation of Friant Dam. The Program has two primary goals: Restoration and Water Management. The Restoration Goal is to restore and maintain fish populations in the main stem of the San Joaquin River below Friant Dam to the confluence of the Merced River, including naturally reproducing and self-sustaining populations of salmon and other fish. The Water Management Goal is to reduce or avoid adverse water supply impacts to all of the Friant Division long-term contractors that may result from implementation of the Settlement.

The San Joaquin River Restoration Settlement Act (Title X, Subtitle A, Part I of Public Law 111-11), authorizes and directs the Secretary of the Interior to implement the Settlement. Section 10007 of the Act states that Congress finds and declares that the Settlement satisfies and discharges all of the obligations of the Secretary contained in Section 3406(c)(1).

Actions to implement the Settlement are anticipated to be funded using four different funding sources in FY 2012. These include mandatory and appropriated funds in the San Joaquin River Restoration Fund, funds from the State of California, and funds from the CVPIA

Restoration Fund. Actions to implement the Settlement will also be accomplished with in-kind services conducted by the State of California through the Department of Water Resources and Department of Fish and Game. This description of program goals and objectives is intended to focus on those activities that are anticipated to be implemented using funds from the CVPIA Restoration Fund. See the Annual Report published by the San Joaquin River Restoration Program for a description of all of the Program's activities (annual reports are available at [www.restoresjr.net](http://www.restoresjr.net)).

The objective for those Program activities that are anticipated to be carried out using funds from the CVPIA Restoration Fund is to further assist in implementing the Program's Restoration Goal by implementing specific mitigation and conservation actions for flow releases and providing timely release of the Program's Interim Flows quality controlled monitoring data and upcoming monitoring activities for public review and comment. One of the components necessary to achieve the Restoration Goal is to increase releases from Friant Dam into the San Joaquin River to provide flows necessary to restore and maintain fish populations in the main stem of the San Joaquin River. Initial releases from Friant Dam to re-wet the San Joaquin River and collect a range of information regarding river and channel characteristics, including flows, temperatures, fish needs, seepage losses, and water recirculation, recapture and reuse began in 2009. These initial releases are termed Interim Flows. These activities facilitate the continuation of Interim Flows, the monitoring and analysis efforts related to Interim Flows, and complete some of the requirements necessary to increase Interim Flows to the higher releases called for in the Settlement starting in 2014, termed Restoration Flows. These activities are described in more detail below.

**Invasive Vegetation Management and Control** – Reclamation identified the need to manage and control invasive vegetation as part of the environmental compliance and permitting activities for the Water Year 2011 and 2012 Interim Flows, and specifically as part of Reclamation's Water Year 2011 and 2012 Interim Flows Environmental Assessments (EAs). This activity would work to implement the Invasive Vegetation Management Plan. The Invasive Vegetation Management Plan calls for monitoring and control and management activities focusing on five species, red sesbania, salt cedar, giant reed, Chinese tallow, and sponge plant. Activities will be conducted along affected portions of the San Joaquin River and bypass system (before and after Water Year 2011 and 2012 Interim Flows) from Friant Dam to the Merced River confluence.

**Map Waters of the United States and Determine Impacts from Increased Flows** – As part of implementing the Settlement's Restoration Goal, Reclamation will be increasing releases from Friant Dam into the San Joaquin River. These increased releases could impact waters of the United States including wetlands, through inundation of wetlands and/or increased groundwater potentially affecting species compositions. This activity would include mapping the waters of the United States, including wetlands, from Friant Dam to the Merced River confluence and determining the impacts, if any, from increased releases from Friant Dam under the Settlement. The mapping completed under this activity is also expected to be useful in planning and impact assessment for future construction activities that may be necessary to implement the Settlement. This activity would implement a portion of Conservation Strategy Measure WUS-1 in the Restoration Program's Program

Environmental Impact Statement/Report (PEIS/R) and contributes to the compliance activities necessary for Reclamation to increase releases into the San Joaquin River to implement the Settlement's Restoration Goal.

**Develop Riparian Habitat Mitigation and Monitoring Plan** – As described above, as part of implementing the Settlement's Restoration Goal, Reclamation will be increasing releases from Friant Dam into the San Joaquin River. These increased releases have the potential to change, potentially both impacting and benefiting, riparian habitat adjacent to the San Joaquin River. This activity includes the development of a Riparian Habitat Mitigation and Monitoring Plan to map, monitor and manage riparian vegetation adjacent to the San Joaquin River from Friant Dam to the Merced River confluence and to assess the impacts and benefits to riparian habitat. The Plan will include a monitoring and assessment component along with potential mitigation actions to compensate for loss of acreage and function of riparian habitat, if such losses occur. This activity would implement a portion of Conservation Strategy Measure RHSNC-2 in the Restoration Program's PEIS/R and contributes to the compliance activities necessary for Reclamation to increase releases into the San Joaquin River to implement the Settlement's Restoration Goal.

**Annual Technical Report and Annual Monitoring and Analysis Plan coordination and preparation for 2012/2013** – The Program's Implementing Agencies have developed and are implementing an annual cycle of identifying study needs and monitoring activities and providing for timely release of all quality controlled monitoring data. The Annual Technical Report presents an incremental update for monitoring and analysis results from the year. The Annual Technical Report is released twice yearly with a draft released to the public in late summer providing the monitoring data from the spring Interim Flow period. The final Annual Technical Report is released early the following year, providing the monitoring data from the previous Restoration Year (March 1 to February 28). The Monitoring and Analysis Plan (formerly known as Agency Plan) presents studies designed by the Implementing Agencies to manage Interim Flows for the next Restoration Year. A draft Monitoring and Analysis Plan is released to the public in September with a final in November. This effort also includes coordination of the Program's Restoration Goal Technical Feedback Group meetings that facilitates the timely release and discussion of monitoring data, upcoming monitoring efforts, and provides for early input in the Program's high priority construction projects.

### ***Status of the Program***

In 1988, a coalition of environmental groups, led by the Natural Resources Defense Council (NRDC), filed a lawsuit challenging Reclamation's renewal of the long-term water service contracts between the United States and the Central Valley Project, Friant Division contractors. On September 13, 2006, the Settling Parties (United States, NRDC, and Friant Water Users Authority) lodged a Stipulation of Settlement that provides for a "Restoration Goal" and a "Water Management Goal". On October 23, 2006, the Court approved the Stipulation of Settlement. Legislation authorizing the implementation of the Settlement (Public Law 111-11) was signed into law on March 30, 2009. The San Joaquin River

Restoration Program (Restoration Program) will implement the Settlement consistent with Public Law 111-11. Section 10007 of Public Law 111-11 states that Congress finds and declares that the Settlement satisfies and discharges all of the obligations of the Secretary contained in Section 3406(c)(1).

In working towards the Restoration Goal in the Settlement, the Restoration Program will complete its second year of Interim Flows, or initial flow releases, from Friant Dam to the San Joaquin River on September 30, 2011. In March 2010, the San Joaquin River was reconnected to the Sacramento-San Joaquin Delta, a stretch of roughly 330 miles. This has not occurred in more than 60 years, with the exception of flood flows. The Restoration Program continues to expand its extensive monitoring efforts during Interim Flow releases. This includes continued expansion of the Program's groundwater well network to assess changes in the shallow groundwater table associated with increased flows in the river.

The Restoration Program's Draft PEIS/R was released in April 2011, and is scheduled to be finalized in April 2012. The PEIS/R provides program-level analysis of the implementation of the future construction actions required in the Settlement and a project-level analysis of the reoperation of Friant Dam, including the release and recapture of Interim and Restoration flows. Site-specific planning, environmental compliance, and design efforts continue for nine of the ten high priority, Phase 1 channel improvements identified in the Settlement. These nine actions have been grouped into three projects, the Mendota Pool Bypass and Reach 2B Channel Improvements Project, the Reach 4B, Eastside Bypass, and Mariposa Bypass Channel and Structural Improvements Project, and the Arroyo Canal Fish Screen and Sack Dam Fish Passage Project.

Actions to prepare for fish reintroduction also continue. The USFWS submitted a permit application to NMFS on September 30, 2010 for the reintroduction of spring-run Chinook salmon. Consistent with the Settlement and Public Law 111-11, NMFS is currently reviewing the permit application and preparing the necessary permits and rules for the reintroduction of spring run.

The Restoration Program has made progress on several actions under way in working towards the Water Management Goal in the Settlement. These actions include the recapture and recirculation of 52,000 acre-feet of Interim Flows in Water Year 2010 and the initial months of Water Year 2011. The Program also continues to develop operational guidelines for releasing Restoration Flows, a framework for the Recovered Water Account (RWA), and a plan for long-term recapture and recirculation of Restoration Flows. Progress has also been made on the Friant-Kern Canal Capacity Restoration Feasibility Study, with a draft study and Environmental Assessment released earlier this year. The final study and Environmental Assessment are expected in late calendar year 2011, with final design completed in 2012. Planning and design efforts continue on the Madera Canal Capacity Restoration Feasibility Study and the Friant-Kern Canal Pump-Back Study. Draft guidelines for financial assistance for local groundwater banking projects that will assist in reducing or avoiding the water supply impacts of the Restoration Program have been prepared and final guidelines are expected later this calendar year.

**Table 1. FY2012 Activities and Costs**

CVPIA Section: 3406 (c)(1)
CVPIA Program: San Joaquin Comprehensive Plan

	2012 Requested Funding					
	State Cash	State In-Kind	Restoration Fund	Water and Related Resources	Other Sources*	Total All Sources
<b>Total Funding</b>	\$0	\$0	\$2,000,000	\$0	\$0	\$2,000,000
Reclamation			\$2,000,000	\$0	\$0	\$2,000,000
Service			\$0	\$0	\$0	\$0
CA DFG	\$0	\$0			\$0	\$0
CA DWR	\$0	\$0			\$0	\$0
Other	\$0	\$0			\$0	\$0

AWP Activity Number	Type of Activity	# of FTE's	Activity Name & Description	Agency	NMFS OCAP RPA#	Performance Metric	Performance Target	2012 Requested Funding					
								State Cash	State In-Kind	Restoration Fund	Water and Related Resources	Other Sources*	Total All Sources
<b>1.1</b>	<b>Program Management</b>												
1.1.1	1.00		Program Management (Alicia Forsythe)	BOR	N/A	N/A	N/A	\$0	\$0	\$0	\$0	\$0	\$0
								Anticipated Funding					
								State Cash	State In-Kind	Restoration Fund	Water and Related Resources	Other Sources*	Total All Sources
<b>Subtotal Funding</b>								\$0	\$0	\$0	\$0	\$0	\$0
Reclamation										\$0	\$0	\$0	\$0
Service										\$0	\$0	\$0	\$0
CA DFG								\$0	\$0			\$0	\$0
CA DWR								\$0	\$0			\$0	\$0
Other*								\$0	\$0			\$0	\$0
								* List other funding source here: Program Management activities will be funded using the San Joaquin River Restoration Fund.					

AWP Activity Number	Type of Activity	# of FTE's	Activity Name & Description	Agency	NMFS OCAP RPA#	Performance Metric	Performance Target	2012 Requested Funding					
								State Cash	State In-Kind	Restoration Fund	Water and Related Resources	Other Sources*	Total All Sources
<b>1.2</b>	<b>Program Support</b>												
1.2.1	0.25		USFWS Program Management (Robert Clarke)	FWS	N/A	N/A	N/A	\$0	\$0	\$0	\$0	\$0	\$0
								Anticipated Funding					
								State Cash	State In-Kind	Restoration Fund	Water and Related Resources	State or Other Sources*	Total All Sources
<b>Subtotal Funding</b>								\$0	\$0	\$0	\$0	\$0	\$0
Reclamation										\$0	\$0	\$0	\$0
Service										\$0	\$0	\$0	\$0
CA DFG								\$0	\$0			\$0	\$0
CA DWR								\$0	\$0			\$0	\$0
Other*								\$0	\$0			\$0	\$0
								* List other funding source here: Program Management activities will be funded using the San Joaquin River Restoration Fund.					

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CVPIA Program: San Joaquin Comprehensive Plan

	2012 Requested Funding					
	State Cash	State In-Kind	Restoration Fund	Water and Related Resources	Other Sources*	Total All Sources
<b>Total Funding</b>	\$0	\$0	\$2,000,000	\$0	\$0	\$2,000,000
<i>Reclamation</i>			\$2,000,000	\$0	\$0	\$2,000,000
<i>Service</i>			\$0	\$0	\$0	\$0
<i>CA DFG</i>	\$0	\$0			\$0	\$0
<i>CA DWR</i>	\$0	\$0			\$0	\$0
<i>Other</i>	\$0	\$0			\$0	\$0

AWP Activity Number	Type of Activity	# of FTE's	Activity Name & Description	Agency	NMFS OCAP RPA#	Performance Metric	Performance Target	2012 Requested Funding					
								State Cash	State In-Kind	Restoration Fund	Water and Related Resources	Other Sources*	Total All Sources
<b>1.9</b>	<b>Environmental Compliance</b>												
1.9.1	-		Invasive Vegetation Management and Control. Includes implementing the Invasive Vegetation Management Plan including removal and control of invasive vegetation as described in the Water Year 2011 and 2012 Interim Flows Environmental Assessments (EA).	BOR	N/A	Invasive Plant Control Consistent with commitments	Complete commitments in Water Year 2011 and 2012 Interim Flows EAs	\$0	\$0	\$400,000	\$0	\$0	\$400,000
1.9.2	-		Map Waters of the United States and Determine Impacts from Increased Flows. Includes mapping the waters of the United States, including wetlands, from Friant Dam to the Merced River confluence and determining the impacts, if any, from increased releases from Friant Dam under the Restoration Program. Implements a portion of Conservation Strategy Measure WUS-1 in the Program Environmental Impact Statement/Report (PEIS/R).	BOR	N/A	Final Report	Report with mapping results and identification of impacts	\$0	\$0	\$250,000	\$0	\$0	\$250,000
1.9.3	-		Develop Riparian Habitat Mitigation and Monitoring Plan. Develop plan to map, monitor, and manage riparian habitat from Friant Dam to the Merced River confluence consistent with Conservation Strategy Measure RHSNC-2 in the PEIS/R.	BOR	N/A	Final Plan	Management Plan	\$0	\$0	\$130,000	\$0	\$0	\$130,000
								Anticipated Funding					
								State Cash	State In-Kind	Restoration Fund	Water and Related Resources	State or Other Sources*	Total All Sources
<b>Subtotal Funding</b>								\$0	\$0	\$780,000	\$0	\$0	\$780,000
<i>Reclamation</i>										\$780,000	\$0	\$0	\$780,000
<i>Service</i>										\$0	\$0	\$0	\$0
<i>CA DFG</i>								\$0	\$0			\$0	\$0
<i>CA DWR</i>								\$0	\$0			\$0	\$0
<i>Other*</i>								\$0	\$0			\$0	\$0
* List other funding source here: None													

	CVPIA Section: 3406 (c)(1)
	CVPIA Program: San Joaquin Comprehensive Plan

	2012 Requested Funding					
	State Cash	State In-Kind	Restoration Fund	Water and Related Resources	Other Sources*	Total All Sources
<b>Total Funding</b>	\$0	\$0	\$2,000,000	\$0	\$0	\$2,000,000
<i>Reclamation</i>			\$2,000,000	\$0	\$0	\$2,000,000
<i>Service</i>			\$0	\$0	\$0	\$0
<i>CA DFG</i>	\$0	\$0			\$0	\$0
<i>CA DWR</i>	\$0	\$0			\$0	\$0
<i>Other</i>	\$0	\$0			\$0	\$0

AWP Activity Number	Type of Activity	# of FTE's	Activity Name & Description	Agency	NMFS OCAP RPA#	Performance Metric	Performance Target	2012 Requested Funding					
								State Cash	State In-Kind	Restoration Fund	Water and Related Resources	Other Sources*	Total All Sources
<b>1.12</b>	<b>Monitoring</b>												
1.12.1		-	Annual Technical Report (ATR) and Annual Monitoring and Analysis Plan (MAP) coordination and preparation for 2012/2013. The ATR provides for timely release of all quality controlled monitoring data. The MAP outlines upcoming monitoring activities for public review and comment. This effort also includes coordination of the Restoration Goal Technical Feedback Group meetings, which facilitates the timely release and discussion of monitoring data, upcoming monitoring efforts, and provides for early input in the Restoration Program's high priority construction projects.	BOR	N/A	ATR and MAP released on-schedule for public review	ATR Draft in July; Final in April. MAP Draft in September; Final in November.	\$0	\$0	\$1,220,000	\$0	\$0	\$1,220,000
								Anticipated Funding					
								State Cash	State In-Kind	Restoration Fund	Water and Related Resources	State or Other Sources*	Total All Sources
<b>Subtotal Funding</b>								\$0	\$0	\$1,220,000	\$0	\$0	\$1,220,000
<i>Reclamation</i>										\$1,220,000	\$0	\$0	\$1,220,000
<i>Service</i>										\$0	\$0	\$0	\$0
<i>CA DFG</i>								\$0	\$0			\$0	\$0
<i>CA DWR</i>								\$0	\$0			\$0	\$0
<i>Other*</i>								\$0	\$0			\$0	\$0
* List other funding source here: None													

**Table 2. CVPIA Three-Year Budget Plan FY 2013 – 2015**  
(\$ Thousands)

Year	Description of Activities <sup>1</sup>	Requested RF Funding	Requested W&RR Funding	Anticipated Other Funding (footnote source)
2013	Continue and expand invasive vegetation management and control activities for Interim Flows. Implement measures, if any are needed, to avoid or mitigate impacts to waters of the United States that may result from Interim or Restoration flows. Begin implementation of the riparian habitat mitigation and monitoring plan developed in FY 2012. Continue releasing Interim Flows from Friant Dam and implementation of study needs and monitoring activities to address critical Program questions. Continue the data management and reporting actions that are part of the Annual Technical Report and Monitoring and Analysis Plan.	\$2,000	\$12,000	\$41,864,000 <sup>2</sup>
2014	Continue implementation of the invasive vegetation management and control activities and riparian habitat mitigation and monitoring plan. Begin releasing Restoration Flows. Continue and expand implementation of a biological conservation strategy and realty and easement acquisition for low-lying lands as described in the PEIS/R to incrementally increase Restoration Flows over time. Continue implementation of study needs and monitoring activities to address critical Program questions. Continue the data management and reporting actions that are part of the Annual Technical Report and Monitoring and Analysis Plan.	\$2,000	\$0	\$0
2015	Continue activities from FY 2014.	\$2,000	\$0	\$0

Note: The FY 2013 – 2015 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.

1. Description of activities is intended to focus on those activities that are anticipated to be implemented using funds from the CVPIA Restoration Fund. See the Annual Report published by the San Joaquin River Restoration Program for a description of all of the Program’s activities (annual reports are available at [www.restoresjr.net](http://www.restoresjr.net)).

2. Anticipated other funding sources include mandatory funds in the San Joaquin River Restoration Fund. Additional funds will be collected in the San Joaquin River Restoration Fund; however, these funds are subject to appropriations and not available for use until appropriated by Congress.