Appendix C

March 25, 2010 Letter to the Restoration Administrator Regarding Management of Interim Flows

Water Year 2011 Interim Flows Project

Administrative Draft Supplemental Environmental Assessment/Initial Study

June 2010

United States Department of the Interior

BUREAU OF RECLAMATION
Mid-Pacific Regional Office
2800 Cottage Way
Sacramento, California 95825-1898

MAR 25 2010

IN REPLY
REFER TO:
MP-170
PRJ-1.10

Mr. Roderick J. Meade, Jr.
SJRRP Restoration Administrator
1221 Torrey Pines Road
La Jolla, CA 92037-3725

Subject: Management of Interim Flows

Dear Mr. Meade:

The San Joaquin River Restoration Settlement (Settlement) stipulates, in Paragraph 15, that the Secretary shall conduct a program of Interim Flows, including the release of the flows identified in Exhibit B. Release of these flows are not to exceed downstream channel capacities; however, the Settlement is not clear on how Reclamation is to manage the release of Interim Flows while not exceeding downstream channel capacities. Existing channel capacities necessitate reducing the magnitude of flows from those called for in Exhibit B of the Settlement.

Reclamation and the other SJRRP implementing agencies intend to collect extensive data throughout the Interim Flow period including, but not limited to, streamflow measurements, temperature measurements, groundwater, fine and coarse sediment transport measurements, water level elevations, and flow versus habitat relationship data. Information obtained during the Interim Flow program will provide technical data to develop and revise future flows and assist in the design of future channel improvements required by the Settlement. Many monitoring programs benefit from the additional data collection opportunities afforded by the flexibility to change flow schedules. Reclamation believes that allowing the Restoration Administrator to recommend flow schedules within the provisions of Paragraph 13 and Exhibit B of the Settlement, will provide the best opportunity to manage flows in a way that maximizes data collection during this time period.

With the Interim Flows now underway, it has become necessary for Reclamation to define specific conditions upon which Interim Flows will be managed, to allow flexibility in how the flows are scheduled. Enclosed are conditions which Reclamation intends to follow to allow this flexibility while not increasing water delivery impacts to Central Valley Project Friant Division Contractors. These conditions were developed in consultation with the Plaintiffs and Friant Parties to the Settlement, consistent with Paragraph 46 of the Settlement.

Subject: Management of Interim Flows

While these conditions will take effect immediately, Reclamation is open to meeting with the Settling Parties at any time to collectively develop alternative approaches to managing Interim Flows. If you have any questions, please contact me at 916-978-5456 or jphillips@usbr.gov.

Sincerely,

Jason Phillips
Program Manager

Enclosure - 1

Identical Letter Sent To:

Mr. Ron Jacobsma
General Manager
Friant Water Users Authority
854 North Harvard Avenue
Lindsay, CA 93247-1715

Mr. Monty Schmitt
Natural Resources Defense Council
111 Sutter St., 20th Floor
San Francisco, CA 94104

cc: Mr. Jeff McLain
U.S. Fish & Wildlife Service
2800 Cottage Way, Ste. W-1727
Sacramento, CA 95825

Dr. Jeffrey R. Single
California Department of Fish & Game
1234 E. Shaw Avenue
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Mr. Doug Welch
Chowchilla Water District
21801 Road 400
Madera, CA 93636-8115

Ms. Rhonda Reed
National Marine Fisheries Service
650 Capital Mall, Ste. 8-300
Sacramento, CA 95814

Ms. Paula Landis
California Department of Water Resources
3374 East Shields Avenue
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Enclosure 1

Memorializing the Conditions for Management of Interim Flows (IF)

Interim Flow Volumes and Flexible Management of Flow Releases at Friant Dam
Interim flows will be defined by the following:

1) The cumulative annual volume dedicated to Interim Flow releases will be based on the water year unimpaired runoff as defined by the Method 3.1 allocation and gamma distribution method (Allocation Hydrograph) agreed to by the Parties in December 2008 and included in the draft Restoration Flow Guidelines document.

2) The relevant timing and rates of releases will be those shown in the Exhibit B hydrographs, based on the available volume as calculated using the Allocation Hydrograph, except as modified in Paragraph 3.

3) If during the Spring Rise and Pulse Flow downstream channel capacity limits releases from Friant to a rate that is less than the maximum release rates provided for such time period in Exhibit B, the volume of flows allocated in the applicable period will be reduced based on downstream channel capacity in the following manner:

   a) The estimated downstream channel capacity, as determined by the Bureau in consultation with the Restoration Administrator by January 1st of each year, will be used to determine the corresponding Maximum Sustained Release at Friant (MSRF) which results in the highest downstream flow rate up to the limit of channel capacity not taking into account capacity constraits related to meeting water deliveries.

   b) If the MSRF is less than the release rate defined in Exhibit B for the period during the Spring Rise and Pulse Flow period (March 1 – April 30), and the riparian recruitment period (May 1- June 30), the MSRF will be multiplied by the number of days in each two week period that releases in excess of the MSRF would be made as determined using the Allocation Hydrograph.

   c) The resulting volume plus the volume calculated for periods when the MSRF is greater than the Exhibit B prescribed rates of release, shall be the maximum quantity of water to be released during the Spring Rise and Pulse Flow period, subject to flexible flow provisions in Paragraphs 4 and 5. Any flows otherwise provided in the Exhibit B hydrographs, as modified by the Allocation Hydrograph, in excess of the MSRF will not be available for release.

   d) If it is determined by the Bureau in consultation with the Restoration Administrator, NRDC, and Friant, based on changing conditions or additional information during IF releases that the actual MSRF is greater or less than the MSRF used to calculate a volume that is the basis of a flow recommendation by the RA, the revised MSRF will be applied only to periods of time following the revised determination to calculate a volume available for release for the remainder of the Spring Rise and Pulse Flow period. There

will be no retroactive adjustment for time periods prior to the revised MSRF determination.

4) Beyond otherwise modifying the flow volumes as defined in Paragraph 3 above, all other flows allocated for the entire year are able to be managed flexibly based on flexible flow provisions for Restoration Flows in Exhibit B and the Settlement pursuant to the RA's Final Interim Flow recommendations if such recommendation is provided to the Secretary between January 1st and 31st of each year. To the extent possible under the circumstances at the time, subsequent changes to the January flow recommendations will not materially increase the water delivery reductions to any Friant Division long-term contractor, as determined by Reclamation based on the factors described below. Reclamation will not approve or implement a flow release recommendation by the RA after January 31 that varies from a previously accepted RA Interim Flow recommendations if it determines based on reservoir and hydrologic conditions at the time the recommendation is submitted, that the revised recommendation will:

   a) Result in the involuntary reduction in contract water allocations to Friant Division long-term contractors

   b) Materially increase reasonably foreseeable spills or flood management releases at Friant Dam in excess of the spills and releases that would have been reasonably foreseeable with the Interim Flow schedule (as modified by the MSRF) previously submitted by the RA and accepted by Reclamation.

5) The following conditions shall not be subject to the determinations by Reclamation as described in Paragraph 4:

   a) The delay in releasing flows recommended by the RA due to operational or management decisions of Reclamation or any other reason not related to a change in the MSRF and thereby necessitating the later release of flows otherwise allocated for Interim Flows.

   b) Real time adjustments of the duration of existing or previously approved releases of up to 1 week in order to achieve previously stated data collection goals, provided that such adjustments do not result in an increase of the volume to be released above the available volume determined in Paragraph 3.

   c) Changes in the flow release schedule resulting from mutual agreement by Friant, NRDC, the RA and the Secretary of the Interior.

   d) Any revisions that may be necessary to comply with any applicable State or Federal laws, including compliance with any applicable permit conditions.

   e) Changes in flow volumes due to changes in the MSRF as described in Paragraph 3.d.

6) In the event that flood management releases are mandated at Friant Dam, to the extent possible, Reclamation will work with the parties to manage the releases to maximize high flow data collection opportunities, among other things. The extent to which flood

management releases will meet the flows set forth in Exhibit B of the Settlement will be determined as part of the finalized Restoration Flow Guidelines.

7) In the event that the MSRF is determined to be below 1500 cfs, the volume to be made available as determined by Paragraph 3. of this section will use an MRSF of 1500cfs and flows releases will be released based on the provisions of Paragraph 4 to the extent that:

   a) Such water can be safely put downstream without exceeding channel capacities and;

   b) The necessary portion of the flows can be diverted at Mendota Pool or Sack Dam so as to not exceed the channel capacity downstream and in furtherance of the Water Management Goal of the Settlement.

   c) The entire difference in volume between a calculation using an actual MSRF determined to be below 1500 cfs and a calculation using 1500 cfs can be recaptured and to the extent possible, recirculated to Friant Long-Term Contractors.

Use of Gravelly Ford as a Control Point for IF Releases

The flow requirements Specified in Exhibit B of the Settlement at Gravelly Ford will be met based on the following terms and conditions:

1) Should Reclamation determine that meeting the flow requirements at Gravelly Ford require more or less flow than the corresponding Friant release defined in Exhibit B and as modified by an adopted RA recommendation in keeping with this agreement, then meeting the Gravelly Ford flow requirement becomes the controlling element (i.e. Friant Dam releases will be adjusted accordingly) based on the following conditions and exceptions:

   a) Base flow releases from Friant will not drop below 315 cfs when the required release from Friant would otherwise be 350 cfs or greater.

   b) Friant releases to meet requirements at Gravelly Ford will not be diminished in response to increases in inflows to the River from tributary streams in Reach 1 or return flows unless such flows are projected to contribute to the Gravelly Ford target for more than 3 days, or if the addition of inflows from the tributary streams could cause impacts downstream.

2) Flow monitoring data including stage to discharge shift corrections within the study area, other than that which is available in real-time on the internet, will be provided to the Settling Parties and the RA as soon as possible, but no less than weekly. This data will be considered provisional.