



ANNUAL REPORT 2007



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Introduction

This is the first Annual Report prepared by the San Joaquin River Restoration Program (SJRRP), describing Program activities and accomplishments during Fiscal Year (FY) 2007, and planned activities for FY 2008. The SJRRP was established upon court acceptance of a Stipulation of Settlement among three Settling Parties in October 2006 regarding restoration of the San Joaquin River, in the Central Valley of California. During FY 2007, many organization and management actions were completed to begin forming a long-term structure for the SJRRP. These include preparation of a Program Management Plan, establishment of dedicated technical work groups comprised of implementing agencies, a structured process for coordination with the Settling Parties, a comprehensive public involvement and outreach program, and a process for preparation of technical documents that will be available to the public during the preparation of the Programmatic Environmental Impact Statement/Report (PEIS/R).

The Settlement

In 1988, a coalition of environmental groups, led by the Natural Resources Defense Council (NRDC), filed a lawsuit challenging the renewal of the long-term water service contracts between the United States and the Central Valley Project (CVP) Friant Division contractors. After more than 18 years of litigation of this lawsuit, known as *NRDC, et al., v. Kirk Rodgers, et al.*, a Stipulation of Settlement (Settlement) was reached. On September 13, 2006, the Settling Parties reached agreement on the terms and conditions of the Settlement, which was subsequently approved by the Court on October 23, 2006. The “Settling Parties” include the NRDC, Friant Water Users Authority (FWUA), and the U.S.



Former Reclamation Mid-Pacific Regional Director Kirk Rodgers speaks at a September 2006 press conference announcing an historic Settlement reached to restore flows in the San Joaquin River.

Introduction

Departments of the Interior and Commerce.

The Settlement's two primary goals are:

- Restoration Goal – To restore and maintain fish populations in “good condition” 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.
- Water Management Goal – To reduce or avoid adverse water supply impacts to all of the Friant Division long-term contractors that may result from the Interim Flows and Restoration Flows provided for in the Settlement.

Settlement Implementation

The Settlement states that the Secretary of the Interior will implement the terms and conditions of the Settlement. Additionally, the Settling Parties agreed that implementation of the Settlement will also require participation of the State of California (State). Therefore, concurrent with the execution of the Settlement, the Settling Parties entered into a Memorandum of Understanding (MOU) with the State of California (by and through the California Resources Agency, the Department of Water Resources (DWR), the Department of Fish and Game (DFG), and the California Environmental Protection Agency) regarding the State's role in the implementation of the Settlement.

The program established to implement the Settlement is the San Joaquin River Restoration Program (SJRRP), and the “Implementing Agencies” responsible for the management of the Program include the Bureau of Reclamation (Reclamation), United States Fish and Wildlife Service (USFWS), National Marine Fisheries Service (NMFS), DWR, and DFG.

Authorization and Initial Funding

The SJRRP is currently authorized under the Central Valley Project Improvement Act (CVPIA). Signed in 1992, this act included provisions for the potential restoration of the San Joaquin River and instituted a fee structure for Friant Division contractors for such activities. Interim Federal funding obligated for the SJRRP through Fiscal Year 2007 was approximately \$3 million and an additional \$6.5 million has been allocated for FY 2008. Additional funding and amended authorization is pending passage of Federal legislation that would approve terms and conditions of the Settlement.



San Joaquin River

San Joaquin River Restoration Area

The geographic area for the SJRRP includes California's Central Valley from the Sacramento-San Joaquin Delta (Delta) to the base of the Tehachapi Mountains south of Bakersfield. This area includes the San Joaquin River from Friant Dam to the Delta, the Friant Division of the Central Valley Project (CVP), other water service areas potentially affected by changes in water deliveries or restoration of the San Joaquin River, and tributaries to the San Joaquin River downstream of the river restoration area. The river restoration area is 153 miles long and reaches from Friant Dam to the confluence of the Merced River. This stretch of river crosses the counties of Fresno, Madera and Merced. For the purposes of the Program, the river has been divided into five primary reaches (see Figure 1). The Program will also evaluate a section of the Eastside Bypass as a potential alternative to the river for carrying restoration flows.

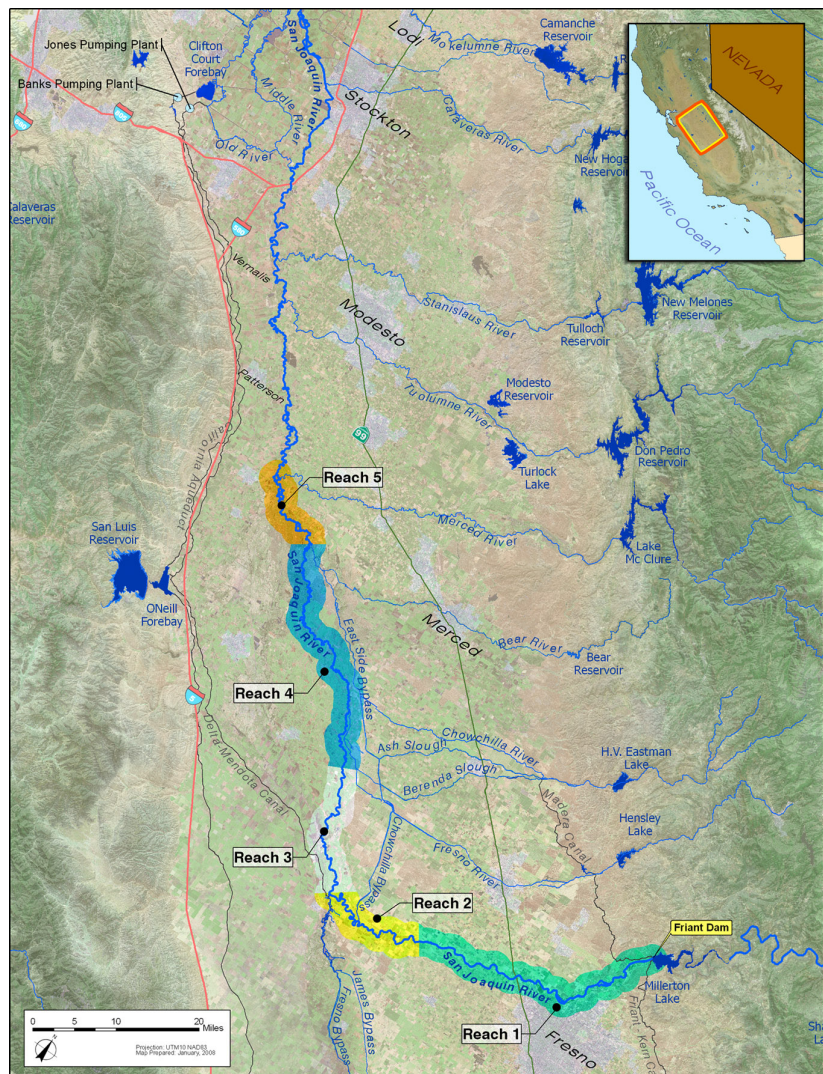


Figure 1- Map of Restoration Area

Reaches of the San Joaquin River under evaluation include:

- Reach 1 – Friant Dam to Gravelly Ford
- Reach 2 – Gravelly Ford to Mendota Dam
- Reach 3 – Mendota Dam to Sack Dam
- Reach 4 – Sack Dam to the confluence of Bear Creek and the Eastside Bypass
- Reach 5 – Eastside Bypass/Bear Creek confluence to the Merced River confluence

2006-2007: Progress and Accomplishments

During FY 2007, many organization and management actions were completed to begin forming a long-term structure for the SJRRP. These began with development of a Program Management Structure for the coordinated involvement of five implementing agencies, coordination with Settling Parties and involvement of third parties. Additional actions completed include: preparation of a Program Management Plan (PMP); establishment of dedicated technical work groups comprised of implementing agencies; a structured process for coordination with the Settling Parties; a comprehensive public involvement and outreach program; and a process for preparation of technical documents that will be available to the public during the preparation of the Programmatic Environmental Impact Statement/Report (PEIS/R).

Program Management Structure

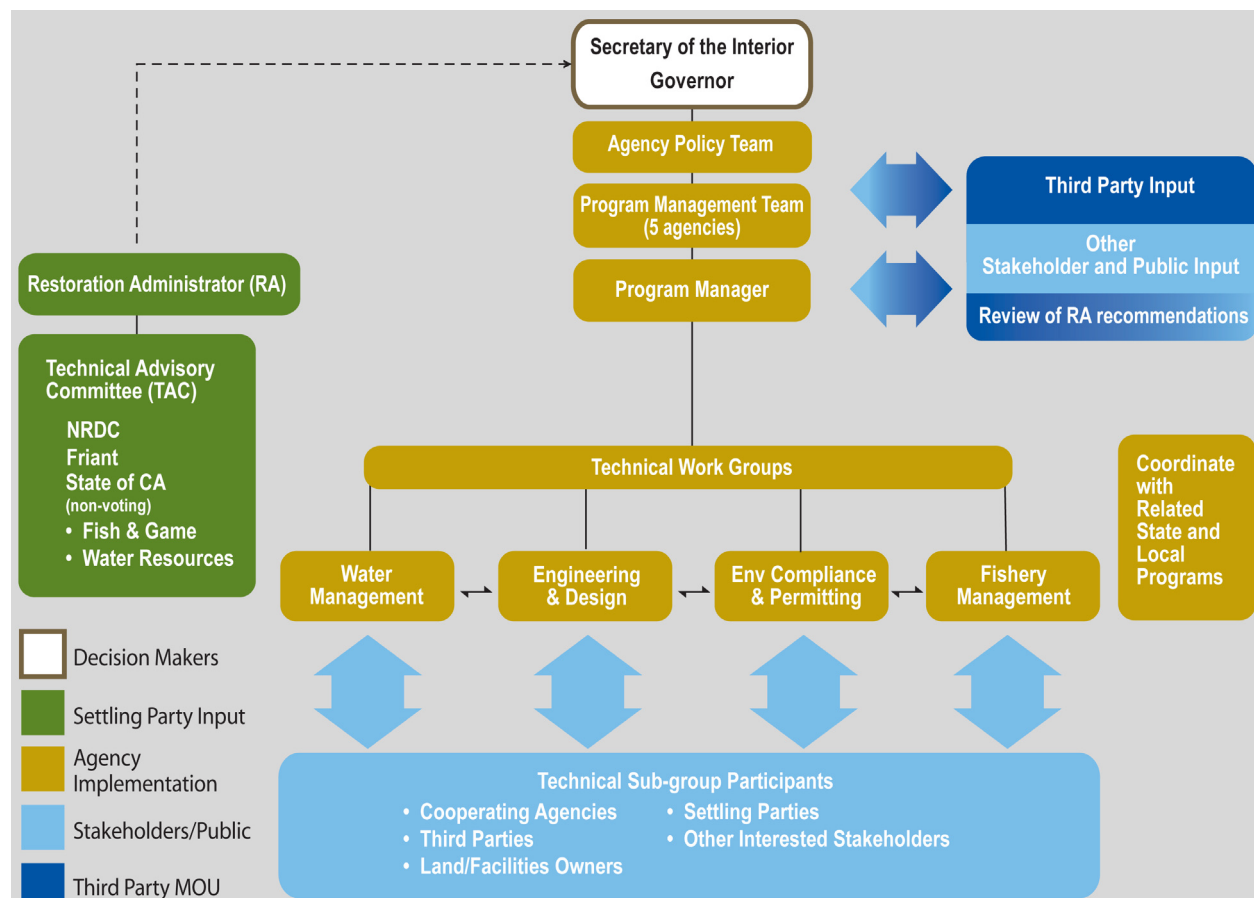


Figure 2 – Program Organizational Chart

The Settlement included clear commitments that the Settling Parties and Third Parties would be involved in the development of implementation plans by the Secretary. Court approval of the Settlement initiated a series of actions that resulted in a program approach structured to provide for effective oversight, management and transparency of the SJRRP. Key among these actions was the development of Memoranda of Understanding (MOU) with the State of California and Third Party Stakeholders.

- State of California MOU – Signed at the same time as the Settlement, this MOU recognizes that the State of California, through DFG, DWR, the Resources Agency, and CalEPA, will play a major, collaborative role in the planning, design, funding, and implementation of the actions on the San Joaquin River called for by the Settlement; and
- Third Party Stakeholders MOU – Signed in February 2007, this MOU recognizes that specific Third Parties will play a collaborative role in the planning, design, implementation, and potential adaptation of the actions on the San Joaquin River called for by the Settlement and in the draft implementing legislation.

The Program Organizational Chart (see Figure 2) reflects the provisions of the Settlement and subsequent MOUs through the following key features:

- **San Joaquin River Restoration Program Team**
The SJRRP Team is a multi-tiered group that includes staff from the Implementing Agencies, each supplemented with technical resources available through a multi-disciplinary consultant team. Roles and responsibilities of this group include:
 - Program Management Team – Includes executives from the Implementing Agencies and is responsible for overall direction and coordination of the SJRRP;
 - Program Manager – Reclamation assigned a full-time Program Manager in November 2007 to provide direction and management of the Technical Work Groups (TWG) and to serve as chair of the Program Management Team; and



SJRRP Program Manager Jason Phillips speaks at a public meeting.

2006-2007: Progress and Accomplishments

- Technical Work Groups - The SJRRP features four primary Technical Work Groups (TWGs), each supported by various subject-matter specific sub-groups, as described later in this report.

The four TWGs are:

- Water Management,
- Engineering & Design,
- Environmental Compliance & Permitting
- Fisheries Management

Program Management Team

Bureau of Reclamation (U.S. Department of the Interior)

Jason Phillips, SJRRP Program Manager
2800 Cottage Way
Sacramento, CA 95825-1898
916-978-5033
jphillips@mp.usbr.gov

U.S. Fish & Wildlife Service (U.S. Department of the Interior)

Dan Castleberry, Fisheries Program Manager
California and Nevada Operations Office
2800 Cottage Way, Suite W2606
Sacramento, CA 95825-1846
916-978-6178
dan_castleberry@fws.gov

NOAA Fisheries Service (U.S. Department of Commerce)

Vacant
650 Capital Mall, Suite 8-300
Sacramento, CA 95814
916-930-3615

California Department of Water Resources

Paula Landis, San Joaquin District Chief
3374 East Shields Avenue
Fresno, CA 93726
559-230-3310
plandis@water.ca.gov

California Department of Fish and Game

Dale Mitchell, Environmental Program Manager
1234 East Shaw Avenue
Fresno, CA 93710
559-243-4005 ext. 156
dfmitchell@dfg.ca.gov

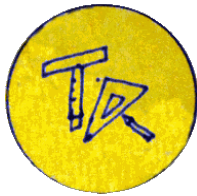
- **Restoration Administrator and Technical Advisory Committee**
 The Settlement specified the roles and responsibilities for a Restoration Administrator which is supported by a Technical Advisory Committee. The SJRRP management structure integrates these resources to obtain timely input on technical issues related to the Restoration Goal.
 - Restoration Administrator – The Restoration Administrator (RA), selected jointly by the NRDC and FWUA, provides recommendations to the Secretary of the Interior and the Governor of California regarding specific elements of the Settlement and certain issues related to the SJRRP’s Restoration Goal and consults with the Technical Advisory Committee; and
 - Technical Advisory Committee – The Technical Advisory Committee (TAC) features six voting members selected by and representing FWUA and NRDC. Voting members of the TAC assist and advise the RA regarding areas outlined in the Settlement, have relevant technical or scientific background or expertise in fields related to river restoration or fishery restoration, and serve for 3 years. There are two non-voting members of the TAC representing the State (DWR and DFG) and three Federal agency liaisons(Reclamation, NMFS, USFWS) to the RA and TAC to ensure coordination and information-sharing with the Implementing Agencies.
- **Third Party Stakeholders**
 Third parties are or represent some of the entities or individuals located in the San Joaquin River Basin that are not directly involved in the Settlement, but could be affected by its implementation. These include landowners adjacent to the San Joaquin River and Eastside Bypass, water rights holders on downstream tributaries to the San Joaquin River, and other CVP water users that rely on water conveyed from the Sacramento-San Joaquin Delta.

Restoration Administrator and TAC
<p>Restoration Administrator Ane Deister as of January 1, 2008</p> <p>Rod Meade through December 31, 2007</p>
<p>Technical Advisory Committee Monty Schmidt Senior Water Resources Scientist NRDC</p> <p>Bill Luce Consulting Resources Manager Friant Water Users Authority</p> <p>Scott McBain McBain and Trush</p> <p>Chuck Hanson Hanson Environmental</p> <p>Peter Moyle University of California, Davis Vacant position</p>
Third Party MOU Signators
<p>Entities Along the San Joaquin River San Joaquin River Exchange Contractors Water Authority</p> <p>Central California Irrigation District</p> <p>Firebaugh Canal Water District</p> <p>San Luis Canal Company</p> <p>Columbia Canal Company</p> <p>San Joaquin River Resource Management Coaliton</p>
<p>Downstream Tributary Water Users Merced Irrigation District Turlock Irrigation District Modesto Irrigation District San Joaquin Irrigation District San Joaquin Tributaries Association</p>
<p>Other CVP Water Users Westlands Water District San Luis & Delta-Mendota Water Authority</p>

2006-2007: Progress and Accomplishments

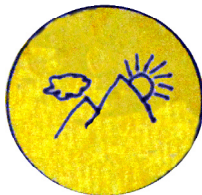
- **Technical Work Groups**
Technical Work Groups (TWGs) of the SJRRP and their related sub-groups guide development of the PEIS/R to address SJRRP actions. Listed below is a synopsis of each TWG area of responsibility.

- **Engineering and Design Work Group**



This TWG is responsible for preliminary engineering and design of structures and flow channels needed to meet Restoration and Water Management Goals of the Settlement. Through coordination with other TWGs, the Engineering and Design Work Group will estimate the costs of structures and flow channels for inclusion in the PEIS/R.

- **Environmental Compliance and Permitting Work Group**



This TWG plans and coordinates efforts to implement elements of the Settlement in relation to environmental studies, permits, alternative formulation, and other requirements necessary for actions needed to meet the Restoration and Water Management Goals. The Environmental Compliance and Permitting Work Group will analyze alternatives, assess their effectiveness, develop alternative descriptions, and prepare the PEIS/R.

- **Water Management Work Group**

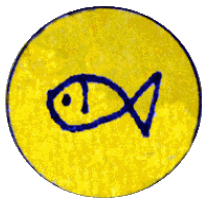


Working in collaboration with all TWGs, the Water Management Work Group addresses water operations for accomplishing the Restoration and Water Management Goals. To support the Restoration Goal, the Water Management Work Group is developing guidelines for implementing the Restoration Flow. This includes formalization of year-type classification, development of a continuous line hydrograph as anticipated in the Settlement, procedures and methods for incorporating hydrologic uncertainties in operation, flow and seepage monitoring, and accounting.

In support of the Water Management Goal, the Water Management Work Group is developing a plan for the recirculation, recapture, reuse, exchange or transfer of the Interim Flows and Restoration Flows to reduce or avoid impacts to Friant Division long-term contractors. In addition, the Work Group is developing recommendations for administering a Recovered Water Account to provide water pricing incentives for facilitating

* Graphical representation of Technical Work Groups designed by Chang-yi Julien Sun, 6 years old.

additional regional water management actions to further reduce the impacts to Friant Division long-term contractors. This will include features that retain, acquire, or perfect all rights to manage and control these flows, to the extent permitted by applicable law.



◦ **Fisheries Work Group**

The Fisheries Management Work Group is responsible for planning and coordination efforts to implement the sections in the Settlement related to meeting the Restoration Goal. Activities include: 1) developing a Fisheries Management Plan designed to provide a roadmap to adaptively manage efforts to restore and maintain naturally reproducing and self-sustaining populations of salmon and other fish in the San Joaquin River below Friant Dam to the confluence of the Merced River; 2) providing information for the permitting process and documentation specific to Paragraph 14 of the Settlement; and 3) recommending and coordinating all fisheries related planning, modeling, or research and monitoring necessary to inform efforts of the Water Management, Engineering and Design, and Environmental Compliance and Permitting Work Groups supporting implementation of the Restoration Goal and the Water Management Goal. The Fisheries Management Work Group is composed of implementing agency staff and consultant team members.



Fisheries Management Work Group Meeting

2006-2007: Progress and Accomplishments

Program Management Plan

In May 2007, a Program Management Plan (PMP) was completed that provides a framework and strategy that the Implementing Agencies have committed to use in collaboratively and adaptively implementing the Program. The PMP provides an overview of the entire Program schedule, from initial planning through all construction-related activities identified in the Settlement, and the Restoration Flow period. In addition to the Program Management Structure and Technical Workgroup responsibilities described above, the PMP provides a work plan for preparation of the Program EIS/EIR, with detailed descriptions of anticipated technical tasks, intermediate milestones, and public documents. In addition, the PMP describes the relationship of Program-level planning and permitting to site- and project- specific implementation actions – many that will need to initiate planning while the PEIS/R is still being prepared.

Public Outreach and Involvement

Public involvement and outreach opportunities have been integrated into the SJRRP. Guided by a Public Involvement Plan (PIP), these activities seek to create an open and visible process through which the general public, stakeholders, affected Third Parties, and other interested parties can keep track of Program activities and progress and participate in the identification of Program issues and formulation of alternatives.

Components of the PIP that were accomplished in 2007 include:

- A Program contact list of individuals, organizations, and public agencies who want to receive notifications of Program activities;
- Public workshops, co-sponsored with local organization early in the process to present the PMP and the PIP;
- Public scoping meetings to share information and receive official public comment;
- A publicly accessible, Program-specific website that offers timely information and updates, a document repository that includes Technical Memoranda, a calendar of events, and contact information:
www.restoresjr.net;
- Multiple avenues for interested parties with technical expertise to interface with SJRRP team members to share information;
- News releases, Fact Sheets and Program Updates.



Reclamation engineer Alan Stroppini talks with a participant about a specific area along the river at the Tulare public scoping meeting.

- **Public Scoping**

Public scoping is an early and open process for determining the scope of issues to be addressed and significant issues to be analyzed in depth in a Program Environmental Impact Statement/Report (PEIS/R). The PEIS/R is being prepared in compliance with the National Environmental Policy Act (NEPA) and the California Environmental Quality Act (CEQA).



Firebaugh City Manager Jose Ramirez talks with SJRRP team members Paula Landis, Jason Phillips, and Bill Luce during a public scoping meeting.

Reclamation initiated the NEPA process by issuing a Notice of Intent (NOI) to prepare environmental impact documents and hold public scoping meetings on August 2, 2007. DWR initiated the CEQA process by issuing a Notice of Preparation (NOP) on August 22, 2007. Parties are provided 30 days from the date of receiving the NOP to comment on the Program. The technical review period of the NOP was from August 24 to September 24, 2007. The SJRRP scoping comment period lasted from the issuance date of the NOI until September 21, 2007. Reclamation and DWR received comments from 85 people and organizations including Federal and

State agencies, local interest groups, local residents, farmers, landowners, environmental groups, public advocacy groups, Native American community groups, and individuals.

Reclamation and DWR informed groups and individuals about the scoping meetings through a variety of methods:

- Posting the NOI in the Federal Register and the NOP in the State Clearinghouse;
- Paid advertisements in the main sections of the numerous newspapers in the Program area;
- Distribution of a press release to Reclamation's media lists for the Sacramento and San Joaquin areas, which includes all major newspapers, as well as Farm Bureau publications for the counties of San Joaquin, Stanislaus, Merced, Madera, Mariposa, Fresno, Tulare, Kings and Kern, and which also included the California Farm Bureau Federation's "Ag Alert" weekly newspaper, the *California Farmer* and the *Capitol Press*;

2006-2007: Progress and Accomplishments

- Post card notice with details for each of the scoping meetings mailed to the mailing list of approximately 3,800 agencies, organizations, and individuals that have shown interest on the SJRRP or other similar projects in the Program region; and
- Information regarding the scoping meetings on the public web site – **www.restoresjr.net**

In addition to the above outreach, letters were sent to various groups and phone calls were placed to Federal and State elected officials whose districts are within or close to the project area to invite them to the scoping meetings and encourage their members to attend and voice their thoughts and concerns about the SJRRP.

A Public Scoping document with all comments received during the Scoping process was made available to the public in December 2007.

- **Technical Memoranda**

Numerous Technical Memoranda (TMs) are being developed prior to scheduled release of the SJRRP Draft PEIS/R in February 2009. These TMs are being made available on the Program web site (**www.restoresjr.net**) as they are completed to facilitate early coordination with the Settling Parties, Third Parties, other stakeholders, and interested members of the public regarding initial concepts and approaches under consideration at the time by the Program Team. While the Program Team does not request formal comments on the TMs, all comments received will be considered in refining the concepts and approaches in the TMs to the extent possible during the formation of the Draft PEIS/R.

- **Field Tours**

A variety of field tours were held in 2007 for the SJRRP. These included:

- Informational tours for staff of State and Federal legislators were held in the spring. Hosted by Reclamation, these tours were coordinated with FWUA and the San Joaquin River Resource Management Coalition (RMC);
- Reconnaissance-level tours for Implementing Agency staff and consultant teams were held in the summer to provide an introductory overview of the various river reaches and



SJRRP team members canoed along the river to better understand invasive species challenges.

2006-2007: Progress and Accomplishments

features. These tours were coordinated by Reclamation in cooperation with FWUA and the RMC; and

- Work Group tours included a one-day survey of invasive plant species and former rock quarries present along Reach 1 of the San Joaquin River. This tour was attended by members of the PMT and the TWGs.



Reclamation Real Estate Specialist Julie Bowen talks with a landowner at a public meeting in Fresno.

- **Landowner Coordination and Outreach**

The vast majority of the San Joaquin River slated for restoration is lined with private property. For example, a preliminary evaluation of private property ownership along a 2,000-foot corridor from Friant Dam to the confluence of the Merced River, and a portion of the Eastside Bypass, revealed more than 1,200 unique property owners, many of which also own the land beneath levees along the San Joaquin River.



SJRRP Landowner Coordinator Craig Moyle welcomes participants to a public landowner meeting.

To engage and gain access to private property for the SJRRP, a Landowner Coordinator has been designated for the Program. This person serves as the primary point of contact for affected landowners and manages distribution, collection, and archival of Temporary Entry Permits (TEP) signed by private property owners. The Landowner Coordinator serves as technical resource to the TWGs for all field activities, notifies landowners of pending field activities, and attends regular meetings of the Resource Management Coalition (RMC).

Developed in close coordination with the RMC, the TEP is a blanket temporary entry request for pre-construction surveys and investigations in support of the SJRRP. The TEP provides, in part, comprehensive liability protection for private property owners while SJRRP representatives are in the field. Public landowner meetings to discuss the TEP and related topics were held during December in Fresno, Firebaugh and Los Banos. Once the TEP is finalized, distribution to landowners will begin.

2008: Future Program Activities

The proposed actions in the Settlement outline how the implementing agencies will achieve the Restoration and Water Management Goals. As part of the Settlement, the Settling Parties developed a detailed timeline for developing and implementing Program improvements.

Schedule and Milestones

The following information highlights upcoming significant milestones in the three stages of the SJRRP.

Stage 1

Stage 1 focuses on program-level planning and environmental review, including formulating and evaluating reasonable alternatives for accomplishing the Restoration and Water Management Goals with a focus on system-wide aspects of implementation. Stage 1 has been initiated and includes the development of a PEIS/R and the identification of significant data needs that will be completed during Stage 2.

Stage 2

Stage 2 commences in October 2009 with the release of Interim Flows and will conclude in December 2013 with the completion of Phase 1 improvements and agreement on operational guidelines. During Stage 2, an Interim Flows program will be implemented to support relevant data collection concerning flows, temperatures, fish needs, seepage losses, recirculation, recapture, and reuse. Stage 2 also includes the reintroduction of spring-run and fall-run Chinook salmon and the implementation of all Phase 1 channel improvements.

Stage 3

The primary activities in Stage 3 include the release of full Restoration Flows from Friant Dam, continued implementation of the Fisheries Management Plan, construction of the remaining Program features that were not Phase 1 priority, and the operation and maintenance of project facilities. The full Restoration Flows shall commence no later than January 1, 2014. Stage 3 will conclude once all activities called for in the Settlement are completed; however, on-going operations and maintenance of facilities and structures will continue indefinitely.

Significant Milestones Timeline

Stage 1

Pre-Flow Program Planning

2008

May Initial Programs Alternatives Report
 October Program Alternatives Report
 December Fisheries Management Plan

2009

March Draft PEIS/R
 July Final PEIS/R
 September ROD/NOD

Stage 2

Interim Flows, Project Construction, and Salmon Introduction

2009

October Initiate Interim Flows and Monitoring Program

2012

December Reintroduce Chinook salmon

2013

December Complete all Phase 1 priority construction activities

2014

June Complete Final Interim Flow Study Report

Stage 3

Full Restoration Flows and Continued Operations

Annual

- Restoration Flow Release Schedules
- Restoration Goal Progress Reports
- Recovered Water Account Progress Reports
- Restoration Flow Monitoring Reports

Planned Outreach and Coordination

The SJRRP Team will maintain and build upon the various outreach and coordination activities of 2007. Additional planned activities include weekly coordination meetings with the Restoration Administrator and monthly meetings with the Settling Parties.

Other features include appointment of a Technical Stakeholder Coordinator for the TWGs. This individual will provide outreach support between the TWGs and various stakeholder groups interested in documents developed for use in the eventual Draft PEIS/R. Similar to the TMs, the TWGs will not request formal approval of these documents, but will consider comments to the extent possible during refinement of the concepts and approaches under discussion.

Program Costs and Funding

- **Costs**

During the Settlement negotiations, several estimates were prepared for implementing the actions described in Paragraph 11 of the Settlement. These estimates ranged between \$250 million and \$800 million.

Early in Stage 1, a more comprehensive assessment of the actions necessary and the related costs will be completed by the Implementing Agencies.

Once authorized, the Settlement establishes the San Joaquin River Restoration Fund (Fund). Approximately \$17 million per year of payments from the Central Valley Project Friant Division would be deposited into the Fund to be available without further appropriations to implement the provisions of the Settlement.

Funding by the State of California will also support the Settlement. In November 2006, State propositions 84 and 13 were passed by the California voters and should provide about \$200 million of State bond funds for projects that will directly contribute to the restoration efforts.

- **Funding**

Funding for the SJRRP during FY07 and FY08 is provided by the Federal government and the State of California, as summarized below. These funds are used to support Program management and studies for preparation of the Program EIS/R.

Annual Budget

Source	FY 2006/2007	FY 2007/2008
FEDERAL FUNDS		
Reclamation		
Central Valley Project Improvement Act	\$3,000,000	\$6,500,000*
San Joaquin River Restoration Fund**	0	0
National Marine Fisheries Service		
Protected Resources - salmon	\$137,000	0
Federal Sub-total	\$3,137,000	\$6,500,000
STATE FUNDS		
Dept. of Water Resources		
Proposition 13	\$1,000,000	\$2,250,000
Proposition 84	0	\$4,250,000
Dept. of Fish and Game		
Proposition 13	\$740,000	\$2,120,000
Proposition 84	0	\$1,200,000
State Sub-total	\$1,740,000	\$9,820,000
Total	\$4,877,000	\$16,320,000

*Includes funding for FWS and NMFS participation.

**This fund would be authorized under the San Joaquin River Restoration Act, currently House Resolution 4074.

Status of Federal Legislation

In January 2007, Federal legislation was re-introduced by California members of Congress to authorize Federal agencies to implement the Settlement beyond the authority contained in the CVPIA. The San Joaquin River Restoration Act (House Resolution 4074) passed out of the House Committee on Natural Resources in November 2007. Congressman Jim Costa (D-Fresno) is chief House author of the San Joaquin river restoration bill first introduced by Congressman George Radanovich (R-Mariposa) and Senator Dianne Feinstein (D-California) in December 2006. Congressman Costa continues to work with all of the interested parties on implementation of the Water Management Goal and development of a financing strategy that meets Congressional requirements. Further action by the House and Senate is anticipated in 2008.

While authorization is still pending at the time of this annual report, the Department of the Interior is proceeding with environmental review based on current authorities and funding, although timely passage of Congressional legislation will be critical to implementing provisions in the Settlement and maintaining the schedule.