Appendix K. Landowner Claims Process

Seepage concerns and impacts anticipated or observed by landowners should be reported to the SJRRP. The SJRRP has a Seepage Hotline to address real-time immediate concerns, as well as additional landowner processes to address future or anticipated concerns. The SJRRP will add to this appendix as more information becomes available regarding reimbursement for past impacts.

K.1 Seepage Hotline for Real-Time Concerns

Landowners with an immediate concern regarding upcoming or current releases of Restoration Flows should follow the process below:

K.1.1 Step 1 – Contact

The initial step is for the landowner to contact the SJRRP.

1. Contact the SJRRP
   a. Call the Seepage Hotline: 916-978-4398, or
   b. Send an email to *RestorationFlows@restoresjr.net*
2. Provide the following information:
   a. Your name, landowner name, phone number, and the best time to contact
   b. Description of the potential seepage location(s)

Program staff will follow up to discuss further and arrange a site visit, if needed.

K.1.2 Step 2 – Seepage Hotline Intake

Based on the follow-up discussion, SJRRP staff will fill out a Seepage Hotline Intake Form that gathers information including:

1. Landowner contact info
2. Address and directions to the location of the concern
3. Type of concern (e.g., location, severity, how long it has been happening)
4. Immediacy of the concern
5. Relationship to Restoration Flows (e.g., timing of concern in relation to Restoration Flows)

A Seepage Hotline call may trigger a site visit depending on the nature of the concern. See the template Seepage Hotline Intake Form in Appendix J, Attachment 1.

K.1.3 Step 3 – Site Visit

After the Seepage Hotline Intake Form is complete, SJRRP staff may contact the landowner to schedule a site visit to better understand the concern. Any data the landowner may have gathered on the situation will be useful. During the site visit, SJRRP staff may be especially interested in:

1. Type of concern (e.g., ponding water, crop germination challenges, and similar issues)
2. GPS coordinates of the specific area of concern
3. Photos of the area of the concern
4. Groundwater levels nearby – SJRRP staff may ask to take hand auger measurements for a rapid check of groundwater levels
5. River characteristics adjacent to the area of concern
6. Soil salinities in the area of concern

The SJRRP will gather any relevant information and compile it into a Seepage Site Visit Form. See the template Seepage Site Visit Form in Appendix J, Attachment 1.

K.1.4 Step 4 – Resolution

Following a site visit, SJRRP staff will determine if changes to flows are needed as well as if this is a concern that might be resolved with a future project. These decisions and the key pieces of information gathered to make them are documented in the Seepage Response Decision Form (see Appendix J, Attachment 1). SJRRP staff will follow up with the landowner on the results of the site visit and the anticipated response decision.

Seepage Intake Forms and Response Decision Forms are available in the Draft and Final Annual Technical reports available on the SJRRP website. Current seepage hotline calls and progress made on them are posted on the groundwater monitoring page on the SJRRP website.

K.2 Potential Project Process

Any real-time Seepage Hotline concerns that require a site visit and some type of follow-up actions will initiate this process. In addition, landowners that do not have a real-time concern but have concerns about future higher flows may initiate this process as described in Step 1 below. The seepage project process is also described in the Seepage Project Handbook as posted on the SJRRP website (restoresjr.net)

K.2.1 Step 1 – Contact

If a landowner has a seepage concern that could be resolved with a project, the landowner may call the Seepage Hotline at 916-978-4398 or email at *RestorationFlows@restoresjr.net* to identify a concern. Following is a list of the types of projects that could be pursued and could be discussed at a Site Visit meeting.

1. Easements
2. Acquisitions
3. Agreements
4. Tile drains
5. Drainage interceptor ditches
6. Slurry walls

7. Seepage berms
8. Operating new drainage or existing irrigation wells to lower the water table
9. Conveyance improvements

K.2.2 Step 2 – Site Evaluation Methods

The SJRRP staff will consult with landowners to conduct an evaluation of their property. This evaluation will consist of:

1. Existing Data Review - The SJRRP will ask the landowner for any information the landowner may have on historic or current conditions, such as:
    a. Groundwater levels
    b. Soil salinity
    c. Hydraulic conductivity
    d. Water quality information in the river, irrigation canals, and groundwater
    e. Drill logs or other soil information
    f. Tile lines and infrastructure
    g. Crop data including type and typical yields

2. Additional Monitoring - The SJRRP will identify any additional monitoring that needs to take place on the property to better identify the appropriate project. This may consist of:
    a. Groundwater well installation
    b. Soil salinity measurements
    c. Hydraulic conductivity tests
    d. Water quality testing

This information will be documented in a Methods Report within a few weeks of the initial site visit. SJRRP staff will work with the landowner to identify additional monitoring needed and obtain landowner approval for additional studies. These are documented in the Seepage Project Handbook.

K.2.3 Step 3 – Site Evaluation Technical Memorandum

Following a period of additional monitoring as identified in the Methods Report, SJRRP staff will issue a Site Evaluation Technical Memorandum (TM) consolidating previously existing and newly gathered data sources and identifying a range of potential remediation projects to address landowner concerns in locations restricting flow releases. This process could take several months depending on what additional monitoring is needed.

K.2.4 Step 4 – Project Report

The SJRRP will then build upon the Site Evaluation TM and develop a Project Report, including additional data collection, analysis and design. Appraisal level designs will be developed for the range of options identified in the Site Evaluation TM and final designs will be developed for the preferred alternative. Considerations for choice of the preferred alternative include:

1. Design/Feasibility

2. Suitability to Site Conditions
3. Landowner Acceptability
4. Cost
5. Environmental Compliance
6. Agreement with the Landowner

The Project Report will include designs, quantities and costs, as well as environmental compliance.

K.2.5 Step 5 – Compliance, Contracting, and Agreements

Once final designs are known, SJRRP staff will begin the environmental compliance activities necessary to construct the preferred alternative. Reclamation is required to comply with Federal environmental laws, including the National Environmental Policy Act (NEPA), the Endangered Species Act (ESA), and the National Historic Preservation Act (NHPA). Other Federal and some State and local laws may also be applicable, depending on the project. These activities will require access to the property to conduct various studies. During this time, SJRRP staff will also begin the process to get a contract or financial assistance agreement in place to construct the project. Implementation of a seepage project on a landowner's property will require mutual agreement between Reclamation and the landowner on such things as site access, ownership of the project facilities, and operations and maintenance responsibilities. All of these actions could take anywhere from three to six months or more.

K.2.6 Step 6 – Implementation

Following Reclamation completing the necessary environmental compliance actions, executing a contract or financial assistance agreement for the project, and entering into an agreement with the landowner, construction of the project can proceed. SJRRP staff will coordinate with the landowner regarding construction timeframes, taking into consideration landowner schedules and activities on the property.