



United States Department of the Interior

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Sacramento, CA 95814-4708

Nat'l Marine Fisheries Svs.
Sacramento, CA

Doc # SAC00871

Subject: Response to Essential Fish Habitat Conservation Recommendations on the
Long-Term Operations of the Central Valley Project and State Water Project

Dear Mr. Yip:

This letter transmits our response to your Essential Fish Habitat Conservation Recommendations on Long-Term Operations of the Central Valley Project and State Water Project. The Bureau of Reclamation and the California Department of Water Resources developed this response to address the requirements of the Magnuson-Stevens Fishery Conservation and Management Act.

If you have questions on this matter, please contact me at 916-978-5025.

Sincerely,

Michael A. Chotkowski
Regional Environmental Officer

cc Mr. Russ Stein
Department of Water Resources
Executive Division
1416 9th Street, Rm 1155
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Response to Essential Fish Habitat Conservation Recommendations

NMFS recommended that a list of general conservation recommendations from Appendix A of Amendment 14 to the Pacific Coast Salmon Plan be implemented in the action area. Although these are general recommendations without specific actions, the list was designed to indicate to the Bureau of Reclamation where opportunities exist within authorities to compensate for the effects of the proposed action within other actions undertaken by Reclamation. Reclamation agrees to follow these recommendations on actions where the general recommendations may apply.

The following are responses to the specific Essential Fish Habitat Conservation Recommendations.

A. Clear Creek

1) Reclamation should increase the frequency of flood control spills from Whiskeytown Reservoir consistent with the RPA to improve channel maintenance and habitat variability.

There is a safety and liability issue over providing an increase in spills from Whiskeytown Dam. Therefore spills will continue to occur during the larger precipitation events.

2) Reclamation should continue funding the CVPIA Clear Creek Restoration Program, the Gravel Augmentation Program, the (b)(2) water for anadromous fish, and the adult separation weir every year.

The Department of Interior will continue to implement the Central Valley Project Improvement Act (CVPIA). The first three items are CVPIA programs and are funded from the CVPIA Restoration Fund. The adult separation weir will continue subject to the prioritization of projects within the Clear Creek Restoration Program.

3) Reclamation should replace the Whiskeytown Reservoir Temperature Curtain by March 2010 to retain the original design efficiency and improve cold water releases to the Sacramento River.

Reclamation is in the beginning stages of replacing the Whiskeytown Temperature Curtain. The target for completion is June 2011 as specified in RPA Action I.1.

4) Reclamation should implement short duration spring-time pulse flows (500 to 600 cfs) every year in order to attract spring-run Chinook adults before flows are reduced in the summer months.

We intend to implement RPA Action I.1.1 which specifies this action.

5) Reclamation should provide short duration (one to three days) fall spawning attraction flows of 500 cfs, as recommended by Denton (1986 op. cit. CVP/SWP operations BA), in October and November.

This action is not specified in the RPA. This action would be implemented if approved by the Clear Creek technical team and if sufficient b2 water is available for additional Clear Creek flows.

6) Reclamation should manage flows for listed and non-listed salmonids only after all of the four IFIM studies planned for Clear Creek have been completed. A new flow prescription should not be implemented until these study results can be reviewed and discussed by the Clear Creek Technical Team and agreement reached between the fish agencies. The final flow regime should be to balance the biological needs of all life stages (e.g., juveniles rearing vs. adult spawning) of the different runs (e.g., spring-run, fall-run, late fall-run, and steelhead).

Clear Creek flows are managed year round in consideration of the needs of salmonids. A new flow prescription will not be implemented until the IFIM results are vetted through the Clear Creek Technical Team and agreed on between the fish agencies and Reclamation.

B. Upper Sacramento River

1) Reclamation should, working through the appropriate CALFED program, investigate alternatives to the rice decomposition program (i.e., baling rice straw, mulching, etc.), and recommend ways of stabilizing, or increasing flows after September 30, to reduce redd dewatering.

The CALFED Water Use Efficiency Program by policy does not directly address programs that would influence cropping decisions. Exploring these two areas would not be consistent with this policy. Reclamation is committed to work through other areas of CALFED and the CVPIA (such as the AFRP) to help address anadromous fishery needs in the upper Sacramento River.

2) Reclamation should provide the necessary modeling and real time temperature data to the Sacramento River Temperature Control Task Group starting in February with the first water year allocation announcement and operations forecast. In this way, decisions on water temperature management throughout the summer in the upper Sacramento River relative to fish habitat conditions and coldwater pool storage in Shasta Reservoir can also consider the habitat needs of fall and late fall-run.

We intend to implement RPA Action I.2.3 which specifies the actions to take in February relative to Sacramento River temperature management. The Sacramento River Temperature Task Group will be able to consider the needs of fall and late fall-run in its deliberations.

3) Reclamation should increase Spring Creek diversions in April, May, and June to 1500 cfs to provide colder water for Clear Creek and the main stem Sacramento River (benefits winter-run and fall-run).

We assume this item means to increase the diversion from the Trinity watershed as Spring Creek diversions cannot be sustainably increased without increasing flows into Whiskeytown Reservoir. Spring Creek diversions will be made consistent with the RPA Actions for Sacramento River temperature control (RPA Action Suite I.2) and the Trinity ROD. Temperature management recommendations will be made by the Sacramento River Temperature Task Group.

4) Reclamation should ramp down Sacramento River flows from August to December, as quickly as possible, following the RPA and CVPIA Anadromous Fish Restoration Program guidelines for stabilizing flows during the fall-run/late fall-run spawning period to reduce

risk of dewatering redds. Minimum flows for fall-run spawning have typically been 4,000 cfs from October through December, based on IFIM studies of habitat suitability curves. Exceptions are allowed in critical and dry years when the RPA specifies ramping down to 3,250 cfs to preserve limited cold water resources in Shasta Reservoir. Temperature targets should be moved downstream in September and October to protect fall- and late fall-run spawning and incubation. Therefore, a 56°F criterion should be maintained through October down to Bend Bridge in all years to protect at least 30 percent of the main stem spawning population. Fall-run will spawn as far downstream as to RBDD, but usually not until November when ambient air temperatures cool the river.

Sacramento River flows will be managed to comply with the RPA Actions. Sacramento River temperature management will need to balance the current year temperature goals with carryover storage to ensure a level of temperature control for the following year, as specified in the RPA. There is not sufficient cold water in Shasta Reservoir in most years to maintain 56°F down to Bend Bridge through October. The Sacramento River Temperature Task Group will strive to manage the coldwater resource year round for the benefit of priority species.

C. American River

1) Implement the Flow Management Standard for the American River by following the flow schedule in Appendix D. The flow management standards are minimum flows and should not preclude Reclamation from making higher releases at Nimbus Dam. The Flow Management Standard includes fall-run protections. Implementing this schedule should also protect fall-run. In the event that specific actions are needed to maintain flows for fall-run, NMFS recommends that Reclamation use (b)(2) water to achieve these flows.

Reclamation is following the flow management standard in Appendix D. When additional water is needed to meet the standard b2 water will be used.

2) Reclamation should operate to achieve a daily average water temperature of 60°F or less as early as possible in October for fall-run holding and spawning. Reclamation shall strive to maintain a daily average water temperature of 60°F or less until November 1, and target 56°F or less as early in November as possible, for fall-run spawning and egg incubation. These Water Temperature Objectives for fall-run should be met at Hazel Avenue in the Lower American River. The priority for use of the lowest water temperature control shutters at Folsom Dam shall be to achieve the Water Temperature Objectives for steelhead, and thereafter may also be used to meet the fall-run spawning water temperature objective.

Reclamation strives to achieve and maintain the above referenced temperature targets as early as possible in the fall. The priority for temperature management, according to the RPA, is for maintaining over-summer temperatures for steelhead as laid out in the yearly temperature management plan. The priority for use of the temperature control shutters is first to maintain steelhead temperature objectives before reserving cold water for fall-run spawning.

3) Fully evaluate below physical/structural actions to improve temperature management and make recommendations for implementation by June 2010. Implement selected projects by 2012.

The following temperature management actions have the potential to improve conditions for aquatic species in the Lower American River. However, the precise benefits and costs of these actions need to be analyzed. Alternatives for each of the actions listed below should be fully developed and analyzed, and the most effective alternatives to each action should be implemented.

Improve the Folsom Dam temperature control device. The objective of this action is to improve access to and management of Folsom Reservoir's cold water pool. Alternatives for this action include operational and physical improvements including enhancement of the existing shutters, replacement of the shutter system, and construction of a device to access cold water below the penstocks.

The Penstock Shutter modifications conceptually consist of automating and modifying the existing shutter system and installing an "elephant" trunk on unit 3. The elephant trunk would access the cold water pool below the existing penstock intakes without the need of a power by-pass. The other modifications would potentially increase the timelines of shutter changes and possibly result in improved efficiencies for the system. Currently, we are in the pre-planning phase of this project. The Army Corps of Engineers has authorization to automate and modify the existing shutter system.

Improve cold water transport through Lake Natoma. The objective of this action is to transfer cold water from Folsom Dam to Nimbus Dam with a minimum increase in temperature. Alternatives for this action include physical or operational changes to Lake Natoma or Nimbus Dam including dredging, construction of temperature curtains or pipelines, and changes in Lake Natoma water surface elevation.

Several alternatives for improving cold water transport through Lake Natoma were addressed in the special report: "Temperature Modeling of Folsom Lake, Lake Natoma, and the Lower American River, Bureau of Reclamation, Technical Service Center, April 2007." Of the identified actions investigated for Lake Natoma, installing a temperature control curtain just upstream of the Nimbus powerplant and debris wall provided the greatest temperature reduction, a modest 0.4°F during very warm summer days. A mid-reservoir plunge zone curtain was not recommended because of increased reservoir mixing, which resulted in higher Nimbus Dam release temperatures. Based on modeling with the debris wall in front of the Nimbus powerplant intakes removed, dredging about 500,000 cubic yards from Lake Natoma reduced Nimbus Dam release temperatures by about 0.2°F. Dredging is much more expensive and less effective at reducing temperatures than a Nimbus Dam forebay curtain.

El Dorado Irrigation District (EID) Temperature Control Device. The objective of this action is to conserve cold water in Folsom Lake. Alternative intake structures have been analyzed by EID. The most effective device should be constructed.

EID's consultant, HDR Inc., has completed the temperature survey and EID has reached a consensus with Reclamation for the number and elevations of the intakes. EID recently started working with their design consultant to develop the Basis of Design Report, and they hope to have that report completed by April 2010. EID is also conducting geotechnical investigative drilling now to evaluate sub surface conditions which will help with design development. Design documents are planned to be completed by mid 2011,

but EID has numerous decisions and environmental reviews to go through prior to that date.

4) *The following ramping rates should be followed:*

January 1 through May 30, at flow levels <5,000 cfs, flow reductions should not exceed more than 500 cfs/day and not more than 100 cfs/hour; and each year from January 1 through May 30, Reclamation should coordinate with NMFS, CDFG, and USFWS to implement and fund monitoring in order to estimate the incidental take of salmonids associated with reductions in Nimbus Dam releases. Minimize flow increases to 4000 cfs or more year round.

Reclamation is implementing this recommendation as specified in RPA Action II.4.

D. Stanislaus River

1) *Reclamation should implement an in-stream flow schedule, as measured at Goodwin Dam, that provides optimum flows for fall-run as defined by Aceituno (1993), or as defined by future analyses of salmon in-stream flow needs. Additionally, this schedule should include sufficient spring flows in April and May to convey salmon smolts through the lower river and to the Delta.*

RPA Action III.1.3 lays out an in-stream flow schedule. This is the schedule Reclamation will work towards implementing and that we assume will meet this recommendation. However, it is likely that this flow schedule will conflict with the in-stream temperature objectives and it is unclear how these competing objectives should be managed. The use of maximum daily temperature instead of mean daily temperature makes the targets more difficult to meet. Reclamation is currently assessing in-stream flow needs for salmonids using hydraulic modeling to evaluate habitat volume and suitability over a range of flows. When completed, this study will contribute to refinement of the flow regime.

2) *Reclamation should conduct fall attraction flows of a minimum of 1,250 cfs for two weeks in October. This recommendation will assist adult fall-run immigration to the Stanislaus River. The purpose is to provide flow cues downstream for incoming adults, as well as providing some remedial effect on the low dissolved oxygen conditions that develop in the Stockton Deep Water Ship Channel.*

This action is included in the flow schedule in Action III.1.3. Reclamation implemented the attraction flow (for steelhead as stated in the RPA) in 2009 and intends to continue to implement the RPA. No readily identifiable upstream migratory response by Chinook salmon occurred as a result of the 2009 pulse.

3) *Reclamation should implement late spring and early summer flow ramping rates to allow establishment of riparian trees at a minimum frequency of every five years.*

Reclamation intends to implement the flow schedule in Action III.1.3 pending further clarification of flows exceeding 1,250 cfs at Ripon during the non-flood control period. The Stanislaus has dense riparian vegetation down to the low flow water line so the stated objective of this recommendation may be inappropriate. High flows within the achievable range (up to 8,000 cfs) are not sufficient to modify the dense riparian vegetation. Mechanical channel modifications would be required to significantly modify riparian areas.

4) *Reclamation should implement spawning gravel replenishment projects on the Stanislaus River, in addition to the current 3,000 cy/year base level augmentation rate applied under CVPIA (b)(13) authorities.*

Reclamation will continue to implement the (b)(13) program in the Stanislaus subject to annual CVPIA funding appropriations. The current target is 3,000 tons/year. Recently permitted projects were stalled due to local opposition to river restoration projects in the permitted area.

5) *Reclamation should implement projects to improve salmonid rearing habitat and floodplain connectivity, including creation of side-channel habitat, isolation of predator-rich in-river mining pits, and periodic increased flows to inundate floodplain habitat.*

Two such projects at Honolulu Bar and Lancaster Road funded by CVPIA are in the planning stages with potential for implementation in 2010.

E. Delta Ecosystem

1) *Delta Cross Channel (DCC) Gates: To increase the survival of out-migrating fall- and late fall-run, NMFS recommends that the DCC gates be closed as early as possible, under an adaptive management program based on monitoring outmigrant movements starting November 1. No later than on December 15 of each year, the DCC gates should be closed to protect outmigrant Chinook salmon, unless NMFS approves a later date. The DCC gates should remain closed for the protection of Pacific salmonids until June 15 of each year, unless NMFS approves an earlier date. Water quality considerations in the Delta will be one cause for a request to vary from these dates, but NMFS will have final authority on closure.*

Reclamation will operate the DCC gates according to RPA Action IV.1.2 which specifies operational procedures for the November 1 – June 15 time period for the protection salmonids.

2) *Tracy Fish Collection Facility (TFCF)*

At the TFCF, Reclamation should submit to NMFS for approval, no later than 12 months from the date of issuance of this document, one or more solutions to the loss of Chinook salmon associated with the cleaning of the primary louvers. In the event that a solution is not in place within 24 months after the issuance of this document, NMFS recommends that export pumping at the Tracy Pumping Plant cease during Tracy Pumping Plant louver screen cleaning operations.

Also at the TFCF, Reclamation should submit to NMFS for approval, no later than 12 months from the date of issuance of this document, one or more solutions to the loss of Chinook salmon with regard to the secondary louver screen cleaning and secondary channel dewatering. In the event that a solution is not in place within 24 months after the date of issuance of this document, NMFS recommends that export pumping at the Tracy Pumping Plant cease during outages of the secondary system, such as occurs during the secondary louver screen cleaning operations, debris removal, and predator management programs.

Beginning on the first day of the month following the issuance of this document, and monthly thereafter, but no later than five working days after the first day of the month, Reclamation should submit a TFCF Status Report to the NMFS Engineering Team Leader. The report should be in a format acceptable to both parties, but should describe the status of each component of the fish salvage system, and should provide a schedule for the correction

of each deficiency, with defined checkpoints for completion. Failure to comply should result in the cessation of pumping at the Tracy Pumping Plant until said report is issued.

NMFS staff (scientific and enforcement) should be permitted reasonable access to the TFCF, and its records of: (i) operation; (ii) fish salvage; (iii) fish transportation and release activities; and (iv) research activities conducted at the TFCF, during both announced and unannounced inspection visits.

e) NMFS recommends that Reclamation undertake ways to reduce predation on juvenile fall- and late fall-run by undertaking predator removal studies at the Tracy facility and also at post-release sites for salvaged juveniles. Loss calculations should be adjusted reflecting results of these predation studies.

Denver TSC personnel are working on a design for replacement of the secondary channel louver system. The design should be completed in FY 2010 and a contract awarded in FY 2011. Denver TSC personnel are also working on conceptual designs for replacement of the primary channel louvers system but these designs will probably not be completed until FY 2011. It is expected that a contract can be awarded in FY 2012.

An engineering feasibility study will be conducted in FY 2010 using Restoration Funds to assess the feasibility of connecting into the existing 36" bypass pipelines coming off the primary channel louver structure in order to tie into a new secondary channel. Based on the results of this study, a final decision will be made on whether or not to proceed with construction of a new secondary channel at the TFCF. Construction costs could be as high as \$20 million or more.

The 24-month time period is not long enough to implement solutions. Secondary channel solutions may be able to be implemented within 24 months but this is not likely for primary channel cleaning solutions because the cleaning solutions may involve physical changes to the system. This would require design, award, and construction (12 - 24 months implementation). It is not practical to shut down the main export pumps for short periods of time day in and day out during cleaning operations. The Tracy (Jones) Pumping Plant pumps are not designed to handle "cycling (stop/start) operation."

Reclamation agrees to submit monthly TFCF status reports. NMFS will be permitted reasonable access to the TFCF in coordination with TFCF personnel.

Predators are periodically removed from the bypass system and predator removal studies are being explored at the TFCF as well as at post-release sites.

3) Tracy Pumping Plant (TPP)

A plan to limit TPP exports to 4,600 cfs should be prepared and implemented. This restriction should remain in place until a plan to expand the TFCF capacity is prepared, approved by NMFS, and implemented.

As stated in the OCAP BA Project Description, the capacity of the Tracy Pumping Plant is approximately 4,600 cfs during the peak of the irrigation season and approximately 4,200 cfs during the winter non-irrigation season. The authorized capacity is 4,600 cfs. To help meet water supply demands of the CVP contractors, operation of the Intertie, when it is constructed, would allow the Tracy Pumping Plant to pump to its authorized

capacity of 4,600 cfs, subject to all applicable export pumping restrictions for water quality and fishery protection.

4) J.E. Skinner Delta Fish Facility (SDFF)

Beginning on the first day of the month following the issuance of this document, and monthly thereafter, but no later than five working days after the first day of the month, DWR should submit a J.E. Skinner Delta Fish Facility Status Report to the NMFS Engineering Team Leader. The report should be in a format acceptable to both parties, but should describe the status of each component of the fish salvage system, and provide a schedule for correcting each deficiency, with defined checkpoints for completion. Failure to comply should result in the cessation of pumping at the Banks Pumping Plant until said report is issued.

With regard to the recommendation that DWR submit monthly reports to NMFS, this recommendation provides neither a standard by which to determine if a component of the fish salvage system is deficient, nor a standard by which to determine if such a deficiency has been corrected.

DWR is currently working a schedule based on a State imposed mandatory furlough program to reduce monthly work force efforts by almost 15 percent; hence adhering to a monthly reporting schedule is not possible. Therefore DWR proposes to submit to NMFS the status reports that are required by the California Department of Fish and Game in their Incident Take Permit for Longfin Smelt (Permit Condition of Approval No. 6.2).

NMFS staff (scientific and enforcement) should be permitted reasonable access to the J.E. Skinner Delta Fish Protective Facility and its records of: (i) operation; (ii) fish salvage; (iii) fish transportation and release activities; and (iv) research activities conducted at the facility, during both announced and unannounced inspection visits.

To provide for the safety of all personnel involved, NMFS will be permitted reasonable access to the SDFF when coordinated with SDFF personnel and Delta Field Division personnel.

NMFS recommends that DWR undertake ways to reduce predation on juvenile fall- and late fall-run by undertaking predation management studies at post-release sites for salvaged juveniles. Within 12 months of the issuance of this document, a final proposal should be sent to NMFS for review. Within 24 months of NMFS' acceptance of the proposal, the "plan" should be implemented. Failure to meet this timeline should result in the cessation of pumping at SWP facilities unless NMFS agrees to an extended timeline.

Recently completed DWR release site studies (Collection, Handling, Transport, Release studies) concluded that predation is highly variable throughout the year based on a number of factors including, but not limited to, the amount of biomass being released, environmental conditions, predatory species composition and size, and seasonal abundance of predatory fishes in the vicinity of the release sites.

DWR has already implemented avian predator control at Horseshoe Bend release site and is currently developing design plans and acquiring necessary permits for implementing additional improvements to the existing sites as per recommendations from the release site studies. Prior to implementing this recommendation, DWR proposes establishment

of a workgroup to discuss the objectives, issues, challenges, and to develop list of feasible actions and realistic timelines associated with reducing predation.

NMFS recommends that alternatives to reduce “pre-screen” losses (predation) in Clifton Court Forebay be developed within 12 months of the issuance of this document. Within two years of developing such a plan, the “plan” will be implemented to reduce the predation impact. Failure to meet this timeline should result in the cessation of pumping at SWP facilities unless NMFS agrees to an extended timeline.

In 1994-95, the California Department of Fish and Game conducted predator removal efforts in Clifton Court Forebay. According to a 1995 DFG memo, predator striped bass abundance estimates, conducted over a period of few years, ranged from about 32,000 to 200,000 fish. A memorandum report from the DFG team documents that movement of striped bass in and out of the Forebay was too great, and the team agreed to recommend to the Interagency Ecological Program Management Team postponing a predator removal program until a striped bass tracking study could be conducted.

A DWR telemetry study, conducted in 2007-2008, also observed free movement of striped bass into and out of the Forebay. Due to the nature of this predator movement, a one-time mass removal and relocation of predators from the Forebay appears to only offer a short term reduction of predation. Considering the complexity of predation issues and uncertainty of control measures, DWR request establishment of a workgroup to discuss the objectives, develop list of feasible actions, and establish realistic timelines.

5) *CVP and SWP Fish Hauling Protocols*

Fish hauling runs for salmonids should be scheduled at least every 12 hours, or more frequently if required by the “Bates Table” calculations (made at each count and recorded on the monthly report).

This recommendation is being implemented and will continue.

6) *Rock Slough Intake and Other Fish Screening Projects, Including CVPIA-Anadromous Fish Screening Program (AFSP)*

- a) *Reclamation should ensure that the CVP and SWP aggressively move to fully engage the CVPIA-AFSP, with appropriate funding, and implement the major projects already designed.*

The CVPIA Fish Screen Program receives a yearly budget to implement prioritized projects. This will continue.

- b) *Until the Rock Slough diversion is screened in 2011, pumping at this site should be avoided whenever Chinook salmon are detected in the vicinity of the intake. The Contra Costa Water District should use its two operating screened diversions (Los Vaqueros-Old River and Mallard Slough), the Alternative Intake Diversion on Victoria Canal once completed, and the available storage in the Los Vaqueros Reservoir, to offset this restriction.*

Currently, the Rock Slough Fish Screen is under construction, making use of ARRA funding. Phase II of the project, completing the installation of coffer dam berms is complete. Phase III,

the construction of the foundation, fish screen and appurtenances should be complete by September 2011.

c) The current fish-monitoring plan should continue until such time as the use of the unscreened Rock Slough diversion is resolved, whether by screening or other means.

Contra Costa Water District (CCWD) maintains a no-diversion period during the period of peak salmonid abundance in the Delta. Typically, CCWD diverts about 17% of its total supply through the Rock Slough intake. The Rock Slough fish monitoring plan is continuing. Once the fish screen is constructed the fish-monitoring plan will be revised to emphasize fish screen performance.

7) Habitat Restoration

Reclamation should aggressively pursue opportunities to acquire land and/or obtain easements to create habitat restoration sites in the Delta region.

Habitat restoration projects should target the creation of riparian habitat, freshwater and tidal marshes, and shallow water habitats beneficial to salmonid life histories. Habitat restoration activities should target actions that increase the amount of useable habitat for salmonids and reverse the simplification of the Delta habitat created by channelization of Delta waterways and riprapping of levee banks.

Reclamation should seek out opportunities to partner with other Federal, State, or non-governmental parties to further this

Reclamation, via the CVPIA program, is in the process of completing a 10-year plan with prioritized habitat restoration projects. Projects will be implemented using the Restoration Fund. In addition, Reclamation is a full participant in the Bay Delta Conservation Plan where agencies are working cooperatively to implement high priority restoration projects in the Delta.