

25. Water Management Plan for Utilization of Humboldt County Contract Water

STAFF RECOMMENDATION

Staff recommends that WCB approve this project as proposed; allocate \$574,980 from the Water Quality, Supply, and Infrastructure Improvement Fund of 2014 (Proposition 1), CWC Section 79733; authorize staff to enter into appropriate agreements necessary to accomplish this project; and authorize staff and CDFW to proceed substantially as planned.

Project Title:	Water Management Plan for Utilization of Humboldt County Contract Water
Project Type:	Planning
Applicant/Grantee:	Humboldt County
Amount Recommended:	\$574,980
Funding Partners:	N/A
Landowner(s):	Multiple
County:	Trinity, Humboldt, and Del Norte
Strategic Plan:	Goals: B.1 Objectives: SI 2.3, 2.4
Disadvantaged Community:	Within a disadvantaged community

LOCATION

The Water Management Plan for Utilization of Humboldt County Contract Water (Project) involves planning activities to support the release of water from the Trinity River Division of the Central Valley Project for instream uses to benefit fisheries in the Trinity River and lower Klamath River. The project area includes the Trinity River, from Lewiston Dam to its confluence with the Klamath River, and the Klamath River, from the Trinity River confluence to the Pacific Ocean, encompassing portions of Trinity, Humboldt, and Del Norte counties.

PROJECT DESCRIPTION

The Trinity River supports fall- and spring-run Chinook salmon; coho salmon; summer-, fall- and winter-run steelhead trout; green sturgeon; and Pacific lamprey. While fall-run Chinook salmon are the dominant species/race and the focus of dependent Tribal, sport, and commercial fisheries, several of these fishes are at critically low levels where they are listed or considered for listing under California and Federal Endangered Species Acts.

Through the 1955 Trinity River Division Act (1955 Act), Congress authorized the Trinity River Division as an integrated component of the Central Valley Project to increase water supplies for irrigation and other beneficial uses in the Central Valley. Section 2 of the 1955 Act, however, included two provisos that limit that integration. Proviso 1 directed the Secretary to ensure the preservation and propagation of fish and wildlife through the adoption of appropriate measures, including certain minimum flows then deemed necessary in the Trinity River for the fishery. Proviso 2 specified that “not less than 50,000 acre-feet shall be released

annually from the Trinity Reservoir and made available to Humboldt County and downstream water users.”

In recognition of Proviso 2, a similar distinct condition was included in a 1959 water delivery contract between the Bureau of Reclamation and Humboldt County, as well as the Bureau of Reclamation’s water permits from the State of California. However, the Bureau of Reclamation historically asserted a view that Proviso 2 should be read in conjunction with Proviso 1 and not as a separate release requirement.

The 2000 Record of Decision established the Trinity River Restoration Program and, among other actions, adopted a variable annual instream flow regime for the mainstem Trinity River below the Trinity River Division, based on annual forecasted hydrology for the basin, ranging from 369,000 acre-feet in critically dry years to 815,000 acre-feet in extremely wet years.

In 2014, the Department of Interior Solicitor issued a memorandum that concluded that the two provisos represent separate and independent limitations on the Trinity River Division’s integration with, and thus diversion of water to, the Central Valley Project, and recommended that "Reclamation conduct an appropriate level of analysis in response to a request for a release of water under Proviso 2 to determine the potential uses to which this water might be put, any other applicable legal requirements that must be addressed prior to releasing said water, whether existing operations or other authorities can fulfill the pending request, and then determine what additional actions may be appropriate under the circumstances." The need for this project is created by the legal and compliance steps that must be completed for the Bureau of Reclamation to release the Proviso 2 water (Contract Water).

The Project will develop a Water Management Plan with associated technical analysis and modeling to support utilization of Humboldt County’s water contract with the Bureau of Reclamation for annual releases of not less than 50,000 acre-feet into the Trinity River to benefit fish and wildlife in the Trinity River and lower Klamath River. The Water Management Plan will guide annual decision-making on flow releases over a 25-year planning period for beneficial uses and define the proposed action for future environmental review and consultation, as applicable. These releases would be in addition to the volumes released by the Trinity River Restoration Program.

Project goals include:

- Addressing missing elements of the natural flow regime,
- Enhancing habitat quality for fish and wildlife,
- Improving ecosystem health and resilience,
- Increasing opportunities for ocean and river salmon fishing, and
- Providing water for water quality enhancement.

Examples of potential uses for the water include augmentation of winter flows to increase salmonid rearing habitat and increase geomorphic flows to promote creation and maintenance of riverine habitats in Upper Trinity River. In addition, the feasibility of using the water to increase the cold-water pool in Trinity Reservoir to ensure sufficient quantity of cold water for release into the Trinity River to support juvenile and adult salmonids will be explored. Project activities are designed to achieve the following objectives:

- Understand the potential non-consumptive, beneficial uses for the Contract Water within the Trinity River and lower Klamath River and identify needs and priorities.
- Identify and evaluate a range of water management and climate scenarios for the Trinity River Division of the Central Valley Project over the 25-year planning period.
- Perform hydrologic analysis to develop expected flow schedules and hydrographs for the Trinity and Sacramento rivers.
- Perform fish habitat and fish production modeling to optimize the benefits from Contract Water releases for fisheries on the Trinity River and lower Klamath River.
- Explore approaches to minimize impacts associated with water deliveries to the Sacramento River as a result of Contract Water releases into the Trinity River.
- Create a Water Management Plan that provides a structure and process for annual decision-making and identifies the anticipated uses of Contract Water over the 25-year planning period.
- Coordinate with the Bureau of Reclamation and SWRCB regarding potential water right changes.
- Conduct preliminary scoping and develop a strategy for compliance with CEQA, NEPA, and other elements of environmental compliance that is ready to implement.

Completion of the Water Management Plan is the first step in the process of making the Contract Water available for release for the optimal benefit of the fishery resources in the Trinity River and lower Klamath River.

PROJECT FUNDING

Partners	Amount
WCB	\$574,980
Other	\$0
Total	\$574,980

Project costs will be for project management, stakeholder engagement, technical analysis and modeling, development of a Water Management Plan, evaluating potential water right changes, and developing a strategy for environmental compliance.

CEQA REVIEW AND ANALYSIS

The Project is statutorily exempt from CEQA pursuant to the State CEQA Guidelines, Section 15262, Feasibility and Planning Studies, as it involves only feasibility and planning studies for possible future actions. Subject to approval of this proposal by WCB, the appropriate NOE will be filed with the State Clearinghouse.

