

U.S. House of Representatives
Committee on Appropriations
Subcommittee on Interior, Environment, and Related Agencies
FY16 Budget Hearing: Bureau of Land Management
March 19, 2015

Questions for the Record—Director of the Bureau of Land Management

Questions from Mr. Calvert

Sage-Grouse

BLM has requested a \$45,000,000 increase in order to implement its sage-grouse conservation plans. The Committee needs additional information on how the agency plans to allocate and spend this money in order to make a good funding recommendation.

Calvert Q1: Please provide a list of the 68 Resource Management Plans. Include their location and completion status.

Answer: The BLM is amending Resource Management Plans in 68 planning areas as part of the National Sage-Grouse Planning Strategy and completing 6 plan revisions. All amendments and revisions will be completed and records of decision (RODs) will be signed this summer.

Listed below are the 68 pending plan amendments by State and affected planning areas:

Nevada and Northeastern California Sub-Regional Greater Sage-Grouse RMP Amendment/EIS:

- **BLM California RMP Amendments:** Alturas, Eagle Lake, and Surprise.
- **BLM Nevada RMP Amendments:** Black Rock, Desert-High Rock Canyon National Conservation Area, Carson City, Elko, Ely, Paradise-Denio, Shoshone-Eureka, Tonopha, and Wells.

Idaho and Southwestern Montana Sub-Regional Greater Sage-Grouse RMP Amendment/EIS:

- **BLM Idaho RMP Amendments:** Birds of Prey National Conservation Area, Bruneau, Challis, Craters of the Moon National Monument, Cascade, Kuna, Jarbidge, Lemhi, Owyhee, Pocatello, Bennett Hills/Toimmerican Hills, Cassia, Magic, Monument, Sun Valley, Twin Falls, Big Lost, Medicine Lodge, Big Desert, and Little Lost-Birch Creek.
- **BLM Montana RMP Amendments:** Dillon.

Utah Sub-Regional Greater Sage-Grouse RMP Amendment/EIS:

- **BLM Utah RMP Amendments:** Kanab, Grand Staircase Escalante National Monument, Richfield, Price, Vernal, Pinyon, Cedar-Beaver-Garfield-Antimony, House Range, Warm Springs, Box Elder, Pony Express, Randolph, and Park City.

Oregon Sub-Regional Greater Sage-Grouse RMP Amendment/EIS:

- **BLM Oregon RMP Amendments:** Upper Deschutes, Brothers-La Pine, Three Rivers, Steens Mountain Cooperative Management and Protection Area, Andrews Management Area, Southeast Oregon, Baker, and Lakeview.

Northwest Colorado Greater Sage-Grouse RMP Amendment/EIS:

- **BLM Colorado RMP Amendments:** Grand Junction, White River, Kremmling, Colorado River Valley, and Little Snake.

Lewiston Greater Sage-Grouse RMP Amendment/EIS:

- **BLM Montana/Dakotas RMP Amendments:** Headwaters and Judith.

North Dakota Greater Sage-Grouse RMP Amendments/EIS:

- **BLM Montana/Dakotas:** North Dakota.

Nine-Plan Greater Sage-Grouse RMP Amendment/EIS:

- **BLM Wyoming RMP Amendments:** Pinedale, Kemmerer, Rock Springs, Rawlins, Casper, and Newcastle.

Listed below are the six plan revisions by State and affected planning areas:

Wyoming: Bighorn Basin and Buffalo

South Dakota: South Dakota

Montana: Miles City, Billings and Hiline

Calvert Q2: How much funding is proposed to be allocated to each plan in FY 2016? Please provide a chart with this information.

Answer: The BLM has not yet determined the funding allocations to each of the revised and amended land use plans in fiscal year 2016. That determination will be made following completion of the plans, and consultation with partners, including the States, at which time the BLM will share allocation information with the Subcommittee. Generally, the funds will allow the BLM and its many partners to take meaningful steps forward to restore rangelands, minimize the threat of wildfire, control invasive plants and improve riparian areas, such as selected removal of encroaching pinyon and juniper. Plan implementation will strategically focus on the priority habitat and will leverage existing State, Federal and other partnerships.

Calvert Q3: Please provide a break-out by activity, such as conservation measure implementation, assessment, monitoring, travel management, and inventory, of how funding will be allocated in FY 2016.

Answer: The actual allocation of funds awaits completion of the land use plans. However, of the \$60 million in the budget for sage grouse conservation, \$15.0 million is recurring base funding in the Wildlife Management subactivity and a \$45.0 million requested increase is split between the Wildlife Management subactivity (\$37.0 million) and the Resource Management Planning, Assessment and Monitoring subactivity (\$8.0 million). The BLM anticipates that approximately \$43 million would be directed towards efforts to: (1) protect and restore and reconnect high priority sagebrush habitat; (2) remove invasive species and seed with desirable species; and (3) protect high priority habitat from wildfire and restore burned areas back into

healthy landscapes. Approximately \$15 million would be used for the monitoring and assessment of habitat, and the remaining \$2 million would be used for coordination, training, and outreach/education efforts with the Western Governors Association, the Association of Fish and Wildlife Agencies, collaborators, and the general public. The estimated \$15.0 million that would be used for monitoring and assessment work includes a combination of the \$8.0 million increase requested in the Resource Management Planning, Assessment and Monitoring subactivity and \$7.0 million of base funds in the Wildlife Management subactivity.

Calvert Q4: Please provide an example of a plan and its proposed activities and associated funding.

Answer: The BLM proposed land use plan revisions and amendments are being finalized. They will be available to the public early this summer, and we anticipate that RODs will be signed later this summer.

One major focus of the BLM's efforts for the conservation of Greater Sage-Grouse habitat is addressed in the recently completed Fire and Invasives Assessments. These assessments identify priority locations for implementing activities that address the threat of wildfire and invasive species. These activities will be implemented as funding becomes available. The assessments are available on the BLM website at:

http://www.blm.gov/wo/st/en/prog/more/sagegrouse/documents_and_resources.html.

Calvert Q5: If possible, please provide a State-by-State break out of how the funds will be allocated for implementation in FY 2016.

Answer: The BLM has not yet determined funding allocations to each of the revised and amended land use plans in FY 2016. That determination will be made following completion of the plans, at which time the BLM commits to sharing allocation information with the Subcommittee.

Calvert Q6: Does BLM anticipate that Federal staff will implement on-the-ground conservation measures on BLM land or will the work be contracted to private companies and/or partners?

Answer: The BLM envisions an ongoing collaborative effort with the States and partners as the land use plans are implemented. The BLM anticipates that implementation of on-the-ground conservation projects will be accomplished with stakeholders and partners to better leverage funding and accomplish successful conservation in priority areas. The BLM also anticipates contracting with private companies and/or partners to complete some of the on-the-ground work.

Calvert Q7: How much of the \$45 million in funding that was requested will be used for coordination with other Federal agencies, State and local governments, and partners?

Answer: Of the \$45 million increase requested, \$2 million would be used specifically for coordination, training, and outreach/education efforts with the Western Governors Association, the Association of Fish and Wildlife Agencies, collaborators, and the general public. However, the BLM's goal is to strive for a collaborative and unified approach among Federal agencies,

Tribal governments, State and local governments, and other stakeholders for sage-grouse conservation as it implements its plans. It is anticipated that much of this funding will be used in some manner for coordination among partners as the process continues to move forward.

Calvert Q8: Does BLM anticipate that any of the additional funding would be used for litigation expenses?

Answer: The \$45 million request does not include funding to cover litigation expenses and the BLM does not anticipate using any of the requested funds for this purpose.

Threatened and Endangered Species

Calvert Q9: Please provide a description of the activities supported by BLM's Threatened and Endangered Species Management program

Answer: The BLM's Threatened and Endangered Species Program is dedicated to ensuring the conservation and recovery of the 400 federally listed species and 100 candidate species found on BLM-administered lands. The program also provides support for conservation of non-listed, rare plant species. Its mission is to implement conservation programs to achieve species recovery so protection under the Endangered Species Act (ESA) is no longer required for currently listed species, and so that listing under the ESA is unnecessary for Bureau sensitive plants or Federal candidate species.

The BLM's successful conservation of these species requires implementation of the following activities:

1. Cooperative planning with States and other stakeholders in the preparation of recovery plans and development of conservation strategies for targeted species;
2. Implementing actions identified in species conservation and recovery plans, including collaborative conservation efforts with States and other partners;
3. Conducting inventories for newly listed, proposed and candidate species; and,
4. Monitoring species populations to determine if objectives identified in species conservation and recovery plans are being met.

Calvert Q10: Please provide a chart showing the allocation of funds to these activities.

Answer: For the 2016 President's budget, 85 percent of the \$21.6 million requested for the T&E program is directed toward BLM execution of the four activities listed above. Internally, these activities are not separated for budgeting purposes. The remaining 15 percent goes towards specific one-time directed projects that may also support crosscutting Bureau programs such as National Historic Trails, Wild and Scenic Rivers, and Healthy Lands.

Calvert Q11: Please provide additional information on the funding used for recovery; consultation with the Fish and Wildlife Service; coordination with other Federal, state and local agencies and partners; and for planning purposes?

Answer: The primary goal of the T&E Species program is to recover Federally-listed species and preclude the need to list candidate species. The approach for the recovery of listed species is generally detailed in recovery plans, completed for nearly 85 percent of listed species. These plans are developed under the leadership of the U.S. Fish and Wildlife Service or the National Marine Fisheries Service. The BLM is typically a stakeholder in developing the recovery plans for species that depend on habitat managed by the agency. In implementing recovery plans, the BLM works with partners such as State fish and game agencies, other Federal agencies and non-governmental agencies. Partners may provide expertise, labor, or funds to help recover a species. Recovery actions include monitoring of populations, restoring or maintaining suitable habitat, conducting research to understand and address threats to the species, and participating in efforts to establish new populations. One tool used by BLM in the recovery of species is the T&E Species Recovery Fund, which is described in the response to Question 12 below. However, this \$1.0 million Recovery Fund represents just a fraction of the total funding in BLM's T&E Species Management program used for recovery efforts.

In terms of consultation, under Section 7 of the ESA, the BLM must consult with the Fish and Wildlife Service or the National Marine Fisheries Service whenever it determines that an action it authorizes, funds, or carries out, may affect a listed species. The BLM does not separately track funding used to consult with the Fish and Wildlife Service or to coordinate with other agencies and partners on matters related to compliance under the ESA for specific projects or activities. These consultations are included in the overall expenses associated with the planning and permitting of specific projects. These expenses are not included in the \$21.6 million for the T&E program; they are covered by the benefitting subactivity, for example, the Oil and Gas Management subactivity would cover the consultation costs associated with oil and gas permitting.

This consultation is informed, however, by inventory and monitoring information collected through the T&E program. Additionally, implementation of recovery efforts for federally listed and candidate species through the T&E program bolsters the resiliency of the species on the ground, which may offer benefits to other BLM priority portfolio programs such as energy development, mineral extraction, range management, wild horse and burro management, forestry management, and recreation.

Calvert Q12: Please describe the purpose and results of the Recovery Fund.

Answer: The BLM uses the Threatened and Endangered Species Recovery Fund to support the recovery of candidate and listed species. This fund helps strategically target key recovery tasks on BLM-administered public land that would preclude the need to list a candidate species or result in a delisting or down-listing of a federally listed species. The BLM works closely with the Fish and Wildlife Service to achieve these objectives and to focus funds where species recovery would be optimized.

The fund was established in 2010 and awards approximately \$1.0 million annually, on a competitive basis, for recovery actions. This recovery fund has supported significant species recovery efforts in the field, but BLM's recovery successes extend beyond the funding associated with this initiative. Through the efforts of BLM biologists and the leveraging of funds from partners, the program has achieved a number of successes in species conservation. In 2014

alone, seven candidate species were precluded from listing due in part to the BLM's conservation efforts.

For instance, in August 2014, the Fish and Wildlife Service announced that the Arctic Grayling in Montana was deemed unwarranted for Federal listing. To date, the BLM has contributed approximately \$250,000 towards grayling restoration efforts in southwest Montana. Funds have been used to conduct population monitoring, restore riparian areas, install riparian fencing, and support grayling reintroduction efforts in the Upper Ruby River drainage. The Fish and Wildlife Service also withdrew Least Chub from the candidate list and concluded that conservation efforts have reduced or eliminated current and future threats to the fish. The BLM's participation was notable because three of five naturally occurring populations of the fish are on BLM-administered public land. The other successes include eight species that have been either precluded from listing (Sand Dune Lizard and Coral Pink Sand Dunes Tiger Beetle), delisted (Maguire Daisy and Inyo California Towhee) or recommended for down listing (Beach Layia, Stephen's Kangaroo Rat, San Benito Evening Primrose and Borax Lake Chub).

Energy

Calvert Q13: Please describe how the agency's new regulation regarding hydraulic fracturing accounts for the regulatory actions taken by States.

Answer: The Department recognizes many States have their own regulations regarding hydraulic fracturing. Recognizing the expertise and experience that State and tribal authorities possess, and consistent with BLM's standard practice of ensuring the efficient implementation of its rules, the final rule includes provisions for States to request a variance when specific State regulations are equal to or more protective than the BLM's rules.

The BLM State Offices are in the process of meeting with their State counterparts to identify opportunities for variances and establish Memorandums of Understanding (MOUs) that will ensure efficient regulatory oversight of oil and gas development on Federal lands. These include: the North Dakota Industrial Commission; the Wyoming Oil and Gas Commission; and the States of Alaska, California, Colorado, New Mexico, Nevada, and Utah. The BLM will also be presenting the rule at the Interstate Oil and Gas Compact Commission's next meeting.

Calvert Q14: How many States that also contain land managed by the Bureau have hydraulic fracturing regulations in place?

Answer: As of March, 25, 2015, the Department estimated fifteen (15) States: Alaska, Arkansas, Colorado, Illinois, Michigan, Nevada, New Mexico, North Dakota, Ohio, Illinois, Oklahoma, Pennsylvania, Texas, Utah, and Wyoming have regulations in place specifically addressing hydraulic fracturing operations. Some of these regulations are expected to meet or exceed the objectives of the BLM rule, but the specific rules and provisions vary from State-to-State. As explained above, the BLM is in the process of working with its State counterparts to evaluate these requirements and identify opportunities for enhancing efficiencies through the variance process.

Calvert Q15: Which States have regulations that are consistent with BLM’s new regulation? Which States do not?

Answer: The BLM developed the rule to apply to all hydraulic fracturing operations occurring on Federal or Indian oil and gas resources on a nationwide basis. The BLM is currently working with its State counterparts to establish MOUs that will realize efficiencies and to identify opportunities for variances.

Calvert Q16: Please describe how BLM works with States to ensure sufficient and efficient regulation and to avoid duplicative regulatory regimes?

Answer: The BLM has established and maintained regulations governing oil and gas operations on public lands for decades, and has worked successfully with operators, Tribes and State governments to avoid duplication and delays in the enforcement and monitoring of these regulations. The implementation of the recently issued hydraulic fracturing rule will continue this longstanding practice while also ensuring the BLM satisfies its obligations to ensure Federal standards are met. The rule builds upon and updates the BLM’s existing regulations to address an evolving technology, in order to provide consistent parameters to conduct hydraulic fracturing operations on BLM-managed public lands nationwide and Indian trust lands.

For example, the BLM California State Office has a Memorandum of Understanding (MOU) with the California Department of Conservation, Division of Oil, Gas, and Geothermal Resources (DOGGR). The purposes of the MOU are to delineate procedures for regulating oil field operations where both the BLM and DOGGR have jurisdictional authority to streamline operations and minimize duplication. As part of its implementation of the rule, the BLM State Offices are meeting with their other State counterparts to identify opportunities for variances and establish MOUs.

Native Plants

Calvert Q17: How much funding was allocated in FY 2014 and 2015 for the Native Plant Materials Development Program? What are the sources of those funds?

Answer: Funding from the Native Plant Materials Development program in 2014 and 2015 totaled \$11.1 million and \$8.0 million, respectively. In 2014, approximately \$3.5 million was provided from the Department as a result of the Disaster Relief Appropriations Act, 2013. Program resources by subactivity are listed below.

Subactivity	2014	2015
(dollars in thousands)		
Soil, Water and Air Management	\$3,000	\$3,000
Wildlife Management	\$4,600	\$5,000
Disaster Relief Appropriations Act, 2013 (Funds allocated to BLM in FY 2014)	\$3,500	\$0
Total	\$11,100	\$8,000

Calvert Q18: Please update the information provided in the FY 2015 hearing record describing in detail the activities funded through this program. (Question provided for reference. Calvert Q33: Please describe in detail the activities funded.)

Answer: The BLM’s Native Plant Materials Development program works within eco-regions across the western United States by collecting native seed to use in the development of native plant crops for restoration of native plant communities after wildfire, invasive weed removal, and other land disturbances. The program focuses on restoration species and has made about 16,000 collections of more than 5,000 species in its 12-year history. Annually, the program makes approximately 1,500 seed collections and works with hundreds of partners including other Federal agencies, private businesses, and non-governmental organizations on the various phases of native plant development. To develop a crop from wildland seed can take 10 to 20 years of research, and most native plants have not had the necessary research done to ensure that a private grower can grow them commercially. This important program works to fast-track this process by working with an array of partners on thousands of native plant species across the different Western eco-regions.

Under the national leadership of the BLM, the Native Plant Materials Development Program has been working since 2001 to develop high quality seeds and seedlings of America’s native plant species for restoration, rehabilitation, and reclamation. From the outset, this program has included the following activities:

- Native Seed Collection
- Long-term Conservation Seed Banking
- Evaluation and Development
- Field Establishment
- Commercial Seed Production
- Guidance on Seed Transfer Zones
- Post Production Seed Storage
- Restoration of Native Plant Communities
- Production of Sagebrush Steppe Seed

In addition, the program is working on technology transfer of the research and issues focused on native plant materials development and seed for restoration. Specifically, the program supported a webinar series entitled “The Right Seed in the Right Place at the Right Time.” The webinar covers the following topics: seed zones; seed production; restoration equipment; seed mixes; seed weather; and container stock. The series is open to the public and is available online at http://static1.1.sqspcdn.com/static/f/1146098/26123004/1428528986000/2015-01_SeedingSeries.pdf?token=ygk%2B5P%2B0zS11Gr5oP5CgzzJ%2B8yE%3D

The BLM also supported and developed a special issue of the Natural Areas Journal entitled “Using Native Plant Materials in Restoration.” Finally, the program supported and organized with the Institute for Applied Ecology the 3rd National Native Seed Conference which had over 320 participants from more than 10 countries.

Calvert Q19: Has BLM considered proposing that the Native Plant Materials Development Program be a single budget subactivity or line item? What is BLM's opinion of this idea?

Answer: Across its programs, BLM actively considers updating budget structures to see if changes can create greater efficiencies and increase program effectiveness. Vegetation restoration is multifaceted and none of the components, such as the Native Plant Program and Invasive Species Management, stand alone. To be successful in maintaining land health and restoring native plant communities, the BLM must take a comprehensive approach, one that includes developing native seed and plant materials, invasive species control, site preparation, planting/seeding or other site treatments, and monitoring of the results.

Calvert Q20: What is BLM's role in the Native Seed Strategy?

Answer: The BLM led the initiation and development of the National Seed Strategy. This has involved working across 12 Federal agencies, tribal, State and local governments as well as with non-governmental organizations and the private sector. The BLM is also developing a business plan identifying the costs associated with implementing the National Seed Strategy. This business plan will be considered in future budget development.

Calvert Q21: How many staff support this effort?

Answer: The BLM Plant Conservation Program has one dedicated position (FTE) and two full time contractors who assist with the program. Additional staff contribute to this work on a part-time or collateral duty basis.

Calvert Q22: How much funding does BLM anticipate allocating to this activity in FY 2016?

Answer: In 2016, the BLM plans to allocate a total of \$7.6 million for the Plant Conservation Program. Approximately \$3.0 million will come from the Soil, Water and Air Management subactivity. The remaining \$4.6 million will come from the Wildlife Management subactivity.

In 2014, the Committee worked with BLM to expedite the release of emergency stabilization funds so that BLM could buy seed and begin replanting in areas affected by fire.

Calvert Q23: Please update the Committee on the progress made toward improving the process.

Answer: The BLM has the authority to approve emergency stabilization requests. The BLM continues to work closely with the Department's Office of Wildland Fire to identify emergency stabilization process improvements.

Calvert Q24: Do state directors have the flexibility they need to procure seed and begin the rehabilitation process?

Answer: Seed can be acquired several ways, but the two most common practices are through the BLM seed warehouse system, or through a consolidated purchase. The goal of the seed warehouse system is to stock commonly used seeds for post fire and other vegetation management treatments so that the right seed is available at the right time for the right location. If seed is in stock at the warehouse, it is available instantly to be mixed or shipped to the location needed. On the other hand, if seed has to be acquired, a number of factors, including demand by other parties and the seed production decisions made by seed providers earlier in the season can impede BLM's flexibility in procuring the seed and beginning the rehabilitation process.

Calvert Q25: What are the best practices for beginning the rehabilitation process? Does BLM meet these best practices?

Answer: The best practices for post fire rehabilitation rely heavily on the site conditions. The BLM is working to engage the scientific community to better understand vegetation dynamics and ways in which to best compete with invasive annual grasses and other weeds that could possibly dominate native plant communities. The BLM plans for average conditions and may accept higher risk treatments to rehabilitate ecologically sensitive areas.

Calvert Q26: How much time does it take, on average, for a State director to procure seed and begin the rehabilitation process in FY 2015?

Answer: If seed is in stock at the warehouse, it is available instantly to be mixed or shipped to the location needed. If seed has to be acquired, a number of factors, including demand by other parties and the seed production decisions made by seed providers earlier in the season can determine the time it will take to have the seed delivered to where it is needed. The availability of certain types of seed on the open market can be problematic, and because demand is driven by wildfire occurrence, predictability of the need for these seeds is low. The BLM procures the most seed in late summer, corresponding to the post wildfire needs. The solicitation goes out in early August, and by early September, contract awards are made, with delivery generally occurring in mid to late September. Additional seed purchases for shrubs can be made in October and November based on the current year's seed crop available to harvest in late fall.

Calvert Q27: Please describe BLM's relationship with the Natural Resources Conservation Service and its Plant Materials Centers. Does BLM utilize the Plant Materials Centers?

Answer: The BLM has a very significant and collaborative relationship with the Natural Resources Conservation Service and its Plant Materials Centers (PMCs). The BLM works very closely with all 10 of the PMCs in the West. BLM is cooperating with the Los Lunas PMC, which is working on production of five different native plant species, as well as, working on modifying a vacuum seed harvester to perform as a high power forage harvester of native seed crops. Additionally, the Tucson PMC is working on nine native plant species, identifying the germination protocols for each species and developing the production and harvesting protocols for growing them as commercial crops. The seed produced from these trials will be used for distribution to commercial growers, use in demonstration sites or research projects. These are just a few of the examples of the type of work we are doing with the NRCS PMCs.

Wild Horses and Burros

Calvert Q28: Please describe in detail BLM's plan to support research to control the population of wild horse and burros. How much funding will be dedicated to this activity? What are the sources of the funding?

Answer: In 2015, BLM is continuing or initiating a suite of 16 research studies aimed at developing new or improved methods of spay/neuter and contraception vaccines for wild horses and burros at an estimated cost of \$9.2 million. Seven other studies and projects will complement and supplement population control research at a cost of approximately \$3.6 million, for a total of approximately \$12.8 million. The total includes \$2.0 million in animal capture costs to support the studies. The total of \$12.8 million for these studies includes both 2014 and 2015 appropriations. Most of these costs are borne by the Wild Horse and Burro Management subactivity; two benefitting subactivities (Rangeland Management and T&E Species Management) also contributed funds. These studies will be conducted by the United States Geological Survey (USGS), various universities and several contractors over the next five years.

Calvert Q29: How many research grants does the agency anticipate funding in FY 2015 and FY 2016?

Answer: As previously noted, the 16 research studies described in the previous response have been funded using FY 2014 and FY 2015 funds. They are multi-year studies that will continue into 2016 and beyond. Additional population control field trials would be initiated in FY 2016 with the \$3.0 million requested increase for implementing National Academy of Sciences recommendations.

Calvert Q30: How many population control applications does BLM plan to do in FY 2015 and FY 2016? What methods will be used?

Answer: About 600 wild horse mares will be vaccinated with PZP vaccine in FY 2015. Work plans for FY 2016 have not been finalized but they will include research field trial spay/neuter treatments along with an undetermined number of PZP vaccinations.

Calvert Q31: Are wild horses and burros on the range negatively affecting sage-grouse and/or sage brush habitat? How does BLM prioritize horses vs. habitat when there are conflicts?

Answer: The BLM manages wild horses and burros on approximately 14.6 million acres of sage-grouse habitat predominantly in Nevada, southwest Wyoming and southeast Oregon. According to a 2013 USGS report entitled "Summary of Science, Activities, Programs, and Policies That Influence the Rangeland Conservation of Greater Sage-Grouse," overpopulation of wild horses and burros can contribute to degradation and fragmentation of sagebrush-steppe habitat, though the precise nature and scale of these impacts is unclear. Monitoring data is being collected to better understand this relationship. Land use conflicts are resolved through the BLM's land use planning process.

Calvert Q32: BLM has been criticized in the past regarding its estimates of wild horses and burros on the range. What is that status of BLM's estimates? Have improvements been made?

Answer: The National Academy of Sciences (NAS) 2013 Report found that the BLM's wild horse and burro estimates may have undercounted numbers by as much as 20 to 30 percent on a national basis. The NAS recommended that the BLM use new population survey methods developed by the United States Geological Survey that utilize statistical analysis to account for animals that are undetected during aerial survey flights. In 2014, the BLM began using the recommended methods and completed new surveys in 77 of the 179 herd management areas (HMAs). The BLM intends to continue to use the new methods and survey one third of the HMAs annually on a rolling basis. The BLM reports national on-range population estimates annually. The 2014 estimate was 49,209 and the data for 2015 will be published by June 1.

Calvert Q33: How accurate are the agency's estimates? How frequently are the estimates conducted? When was the last one conducted?

Answer: The 2013 NAS Report concluded that the BLM's estimates may have undercounted the wild horse and burro population by as much as 20 to 30 percent. Following the recommendations in the report, the BLM began using new population survey methods developed by USGS in 2014. Seventy-seven of the 179 herd management areas have been surveyed using this new method. The BLM plans to continue using this method to survey one-third of the HMAs annually. The BLM reports on-range population estimates annually. The data for 2015 will be published by June 1.

Calvert Q34: Does BLM plan to remove wild horses and burros from the range in FY 2015? Please also describe the agency's plan for FY 2015 and FY 2016 and include information regarding its priority for removals.

Answer: About 2,500 removals are planned in FY 2015. Priorities for these removals are based on court orders, settlement agreements, requests for removals from private lands, research implementation and greater-sage grouse habitat considerations. Removal plans for FY 2016 are being reevaluated due to rising holding costs.

Calvert Q35: What is BLM's plan for FY 2016?

Answer: Plans for changes and improvements to the program in FY 2016 include: continuing research studies aimed at developing more effective population control methods; decreasing holding expenses by transferring animals out of expensive corrals to new, less expensive contracted pastures; increasing adoptions by providing more trained animals through agreements with non-profit organizations and prisons; and continuing work with the Office of Science and Technology Policy and a variety of stakeholders to develop a Prize Challenge to find alternative ways to deliver a liquid vaccine (such as PZP) to wild horses and burros on western rangelands.

Cost of Litigation

Calvert Q36: How much did BLM allocate for litigation costs in FY 2014 and FY 2015 (estimated)?

Answer: The BLM does not allocate separate funding for litigation costs. Rather, such costs are born by all of BLM's accounts, both discretionary and mandatory, including the three annual appropriations accounts – Management of Lands and Resources, Oregon and California Grant Lands, and Range Improvements – and the Department's Wildland Fire Management account, from which BLM receives an allocation. The Department's Office of the Solicitor reported that in FY 2014, the Department made payments of slightly more than \$1.0 million for BLM cases under the Equal Access to Justice Act (EAJA).

In FY 2015, the BLM is implementing a new policy that will allow it to better track the costs of natural resource-related administrative reviews and litigation, including the payment of attorney fees and expenses. As part of this effort, the BLM has provided guidance to all offices to ensure diligence and accuracy in the coding of litigation costs.

Calvert Q37: What accounts supported these costs?

Answer: As explained above, all of the BLM's accounts, both discretionary and mandatory, support the costs of litigation.

Human Capital

In January 2014, GAO reported that Interior continues to face challenges hiring and retaining the staff it needs to oversee oil and gas development on federal leases. GAO recommended that Interior expand its use of recruitment, relocation, and retention incentives and collect and analyze hiring data to look for ways to streamline the hiring process.

Calvert Q38: Please update the Committee on BLM's efforts to improve hiring and retention and adopting alternative approaches to hire and retain personnel.

Answer: The BLM continues to use existing Recruitment, Retention and Relocation authorities (3R), as well as temporary special pay authorities to enhance the recruitment and retention of petroleum engineers and petroleum engineering technicians engaged in oil and gas development operations and activities. In FY 2014, the BLM implemented its Congressionally-authorized Special Pay Rate for its Petroleum Engineers (PEs) and Petroleum Engineering Technicians (PETs), equal to the GS non-locality base rate plus 25 percent, or their current locality rate, whichever is higher. Affected BLM employees realized a nearly 11 percent increase in pay. The BLM also established a bureau-wide 10 percent group retention incentive for all PEs and PETs and implemented mandatory 10 percent recruitment and relocation incentives for PEs and PETs in its critical duty stations – Anchorage, AK; Bakersfield, CA; Billings, MT; Carlsbad, NM; Casper, WY; Dickenson, ND; Hobbs, NM; Pinedale, WY; Santa Fe, NM; Vernal, UT; and Washington, DC. In addition, the BLM has increased the use of student loan repayments for mission critical energy occupations. Finally, the BLM has expanded its use of various special

hiring authorities and programs, including the Vets-2-Feds Initiative; the Veteran's Disability Hiring Program; and the Pathways Program to further augment its existing competitive-service hiring efforts.

Calvert Q39: Does BLM need any additional authority to address these issues?

Answer: Federal authority currently exists. The BLM, along with other DOI bureaus, is working with the Office of Personnel Management (OPM) to establish permanent special pay authority for a number of professional and technical positions directly engaged in the oversight of Federal oil and gas operations, with a particular attention to those located in areas where specialized skills are in high demand.

Data Center Consolidation

Calvert Q40: How many data centers has the agency consolidated over the past three fiscal years? What is the savings associated with the consolidation?

Answer: Since 2011, the BLM has reduced the number of data centers from 51 to 14, achieving a 73 percent reduction resulting in a total \$4.5 million of savings. Savings have been reinvested into BLM mission areas.

Calvert Q41: How many additional data centers will be consolidated in FY 2016 and future fiscal years and what are the anticipated savings associated with these actions?

Answer: In 2016, the BLM plans to close 12 of the remaining data centers, which will achieve the BLM's reduction goal of 51 to 2 data centers. Although the amount of savings is site specific, the BLM anticipates an average savings of \$121,000 per site, resulting in additional savings of \$1.4 million. In total, nearly \$6.0 million in savings from data center efforts will be reinvested into BLM mission areas.

Fire Retardant

Calvert Q42: How much did the agency spend on fire retardant in FY 2014 and FY 2015 (estimated)?

Answer: The funding BLM spends on fire retardant is from its allocation of the Department's Wildland Fire Management appropriation. It is also important to clarify that the retardant BLM purchases is used on all fires BLM responds to, not just fires on BLM land. That includes fires on non-Federal land and fires on lands administered by other Federal agencies. Fiscal Year 2014 was an abnormally low year for retardant use compared to previous fire seasons, as BLM spent only \$4.1 million. By contrast, BLM's retardant expenditures in 2012 and 2013 were \$9.8 million and \$9.9 million, respectively. There is no reliable means to estimate the amount BLM will spend on retardant in 2015 since the Western fire season is just getting underway.

Questions from Mr. Stewart

Alton Coal

I want to thank you for the time you have taken on the Alton Coal issue that we have discussed a few times. As you informed me this week, we are now waiting on the State's evaluation of the suitability criteria for coal leasing on these lands.

Stewart Q1: Mr. Kornze, can you confirm that if the BLM finds the area unsuitable for coal leasing but the State determines that the area is suitable for coal leasing, that under the suitability Criteria Number 15(43 CFR Section 3461.5(o)(1)) the BLM is required to find the area suitable for leasing?

Answer: Unsuitability Criterion 15 does not require consensus between a State and the BLM as to whether an area is unsuitable. Rather, Criterion 15 requires consultation with the State. As the preamble to the rule establishing Criterion 15 explained in 1979, Criterion 15 “does not allow any state the determinative say in how Federal lands will be used.” (44 Fed. Reg. 42584, 42604). The 1979 preamble goes on to explain that giving such control over “unsuitability assessments on Federal lands ...might be in derogation of section 523 of the Surface Mining Act.” (44 Fed. Reg. 42604). Thus, a lack of agreement between a State and the BLM does not mean an area is by default suitable.

Stewart Q2: Also, if the BLM and the State find the area unsuitable for coal leasing pursuant to Criteria Number 15, is there a path forward for coal leasing through exceptions gained through mitigation and other mine design requirements?

Answer: Yes, even if an area is determined to be unsuitable under Criteria 15, leasing may still occur, “if, after consultation with the state, the surface management agency determines that all or certain stipulated methods of coal mining will not have a significant long term impact on the species being protected.” 43 C.F.R. 3461.5(o)(1). The reference to “methods [of coal] mining” in the regulations includes consideration of mitigation measures and/or other design features that might be identified as part of the BLM’s review process to address impacts associated with a particular project.

Questions from Mr. Amodei

Greater Sage-Grouse

Last year, the Secretary of the Interior announced Secretarial Order 3336 to protect the sagebrush-steppe ecosystem in the Great Basin area from wildland fire and invasive species. The Department also plans to implement a National Seed Strategy and Implementation Plan to address invasive species, altered wildfire regimes, habitat fragmentation, and ecological restoration of the West. Additionally, the Department of Agriculture recently announced a commitment to provide an additional \$207 million to greater sage-grouse conservation bringing their total commitment under the Natural Resources Conservation Service's Sage Grouse Initiative to \$763 million over the past few years.

Amodei Q1: Does the BLM consider these combined efforts to be an unprecedented commitment by the Department of the Interior towards protecting and conserving the Sage-hen and its sagebrush-steppe ecosystem?

Answer: The BLM considers the range-wide planning effort and the subsequent implementation of the resulting land use plans for the conservation of Greater Sage-Grouse and the sagebrush-steppe ecosystem to be unprecedented in scope, as they span much of the West and involve many partners. The requested funding increase will allow the BLM to continue to involve communities and State and Federal partners in coordinating regional conservation and mitigation, sage-grouse habitat restoration, and monitoring and assessments of conditions in priority areas.

The FY2016 BLM budget requests \$60 million – a \$45 million increase from 2015 – for greater sage-grouse conservation and sagebrush-steppe restoration.

Amodei Q2: What percentage of that \$60 million would be used for on-the-ground work in BLM field offices?

Answer: The allocation of funds awaits completion of the land use planning process later this summer. However, the BLM anticipates a large portion of the requested funding will be directed towards projects that: (1) protect sagebrush habitat from wildfire by creating fuel breaks and reducing fuel loads; (2) remove invasive species and seed with desirable species; and (3) restore burned areas to healthy rangelands. The success of these efforts depends on good monitoring, and funds will also be devoted to those efforts.

Included in Secretarial Order 3336, the Task Force is required to “provide the Secretary two reports that outline actions that can be accomplished prior to the onset of the 2015 wildfire season, and actions that will require a longer period for implementation.” Such actions include “establishing protocols for monitoring the effectiveness of fuels management, post-fire, and long-term restoration treatments and a strategy for adaptive management to modify management practices or improve land treatments when necessary.”

Amodei Q3: Is the BLM concerned that the Fish and Wildlife Service might issue a listing determination for the Sage hen before monitoring of the effectiveness of the fuels management and habitat restoration policies outlined in the Secretarial Order are conducted?

Answer: The revised and amended land use plans incorporate conservation measures in a manner that provides certainty to the Service the activities will take place. The BLM worked with the U.S. Fish and Wildlife Service (FWS) and other agencies to prepare the reports required by the Secretarial Order and also in developing the Fire and Invasives Assessments. The Secretarial Order reports, the Fire and Invasives Assessments, and the administrative draft revised and amended land use plans will all be available to the FWS for their consideration during their status review under the ESA as part of its forthcoming listing decision.

Amodei Q4: Would the BLM prefer more time to monitor the results and effectiveness of these unprecedented rangeland management efforts and policies before issuing a listing determination?

Answer: The BLM is making commitments to sage-grouse and sagebrush-steppe conservation in the new land use plan revisions and amendments that will begin to be implemented when the Records of Decisions are signed later this summer. As explained above, these land use plans incorporate conservation measures designed to provide the FWS with regulatory mechanisms that address threats to the species such that listing under the ESA is not necessary. The listing determination is in the purview of the FWS.

Amodei Q5: Is the BLM concerned that if the Sage hen is listed, voluntary conservation efforts and financial commitments from state and private land owners to protect the species will decline?

Answer: The BLM will continue to work with willing landowners and agencies to implement sage-grouse habitat conservation. The requested funds will help the BLM implement the commitments made to the States and other partners through the collaborative planning effort. The funding will allow the BLM and its many partners to take meaningful steps forward on restoring rangelands, minimizing the threat of wildfire, controlling invasive plants, and improving riparian areas. Together the BLM and its partners can maintain or improve the sagebrush habitat which forms the foundation for so many components of the traditional western lifestyle and avert the need to list the species under the ESA. The BLM plans to complete amendments to 68 of its land use plans to conserve and protect greater sage-grouse later this summer.

The BLM has said it plans to complete amendments to 68 of its land use plans to conserve and protect greater sage-grouse by the end of September 2015

Amodei Q6: Is the BLM basing resource management plan amendments to protect sage-hen on the assumption that it will be listed?

Answer: The BLM is addressing the threats to the Greater Sage-Grouse and its habitat in the revised and amended land use plans so that listing the species under the ESA is unnecessary.

Sagebrush habitats support a variety of recreational opportunities and the economic vitality of the West, as well as over 350 sagebrush obligate species. The conservation measures in the BLM resource management plans are intended to reduce impacts to sage-grouse populations and the sagebrush-steppe ecosystem.

Amodei Q7: To what extent do BLM’s sage-hen land use plan amendments make a connection between decisions that restrict multiple uses—like livestock grazing and mining—and improved sage-hen habitat?

Answer: The BLM’s plans will seek to limit development in important sage-grouse habitat, while encouraging development in areas where there is less or no conflict with Greater Sage-Grouse conservation. The plans recognize – as does the U.S. Fish and Wildlife Service – that well-managed grazing practices can be compatible with long-term sage-grouse conservation. The plans put no lands off limits to grazing, nor do they require a one-size-fits-all approach to grazing allotments. The BLM relies on the best available information to manage public lands for multiple use and sustained yield.

Grazing & Wild Horses

Included in the Department of the Interior’s FY2016 budget request is a new grazing administration fee program that would potentially bring in \$16.5 million in FY216, \$8 million of which would be spent monitoring grazing allotments in sage-grouse habitat. The increase in monitoring is expected to occur in allotments already being monitored, which means there would be an increased number of compliance visits to each allotment.

Amodei Q8: What percentage of sage hen habitat fragmentation in the sagebrush-steppe ecosystem is cattle grazing responsible for?

Answer: Improper livestock grazing can contribute to invasive species, habitat degradation and fragmentation of sagebrush-steppe habitat. Because habitat degradation and fragmentation can occur at different scales and scopes, the BLM cannot provide an exact percentage of Greater Sage-Grouse habitat fragmentation caused by improper livestock grazing. The BLM monitors and addresses improper livestock grazing on an allotment by allotment basis.

Amodei Q9: How many acres in the sagebrush-steppe ecosystem do wild horses and burros occupy?

Answer: According to a 2013 USGS report entitled “Summary of Science, Activities, Programs, and Policies That Influence the Rangeland Conservation of Greater Sage-Grouse,” the BLM manages wild horses and burros on approximately 14.6 million acres of sage-grouse habitat predominantly in Nevada, southwest Wyoming and southeast Oregon.

Amodei Q10: What percentage of sage hen habitat fragmentation in the sagebrush-steppe ecosystem are wild horses and burros responsible for?

Answer: According to a 2013 USGS report entitled “Summary of Science, Activities, Programs, and Policies That Influence the Rangeland Conservation of Greater Sage-Grouse,,” overpopulation of wild horses and burros can contribute to degradation and fragmentation of sagebrush-steppe habitat, though the precise nature and scale of these impacts is unclear. Monitoring data is being collected to better understand this relationship.

Questions from Ms. McCollum

National Conservation Lands

The budget request includes an increase of \$11 million to protect and maintain National Conservation Lands.

McCollum Q1: What can we expect to see if we provide this increase?

Answer: While National Conservation Lands represent a small portion of the lands managed by BLM, one-quarter of all visitors to BLM lands make these special areas their destination of choice. This investment will help to ensure these untamed places remain a legacy for all future generations. The additional investment will provide essential support and aid the Bureau in addressing high-priority needs to ensure quality recreation and visitor services. The requested funding increase will support critical resource protection and maintenance work. Efforts to be undertaken include eradicating invasive plants; protecting equipment investments from weather; conducting inventories of natural and cultural resources; and implementing resource, science and travel management plans. The BLM will also address additional maintenance needs, including maintenance for signage and facilities.

McCollum Q2: What difference will this investment make?

Answer: Though visitation to BLM lands has grown, financial investment in the Recreation and Visitor Services program has not kept pace with this growth. A strong commitment to conservation also means proactive management of cultural and paleontological resources. This increase will help bolster BLM's capacity to preserve and protect these vast heritage resources by allowing the BLM to fill positions such as NCA managers, recreation managers, and field staff, as well as provide additional resources for highly visited and sensitive areas. Funding to the visitor centers will accommodate public demand for increased hours of operation and program offerings.

Youth Programs

To carry on our commitment to natural landscapes, it is imperative to engage youth with the outdoors.

BLM's youth funding was zeroed out in 2015. The budget proposes a \$5.0 million request in 2016 that will restore BLM to its 2014 level.

McCollum Q3: Can you tell us what this \$5 million will be used for?

Answer: The 2016 budget request includes an increase of \$5.0 million over the 2015 enacted level, for a total of \$6.0 million, which will be used to connect young people with the outdoors by providing them with opportunities to play, learn, serve, and work on public lands. Funding will also support national-level partnerships that promote expanded access to public lands, stewardship of cultural and natural resources, and outdoor ethics. The requested increase is split

between two subactivities, with \$2.5 million in the Recreation Resources Management subactivity, and \$2.5 million in the Soil, Water & Air Management subactivity. Funds in both subactivities will support the following field-level partnership programs:

- **Take It Outside**, a program to engage youth from all backgrounds in recreational activities, informal learning experiences, and stewardship projects. The BLM estimates that more than 75,000 kids will participate in 2016. In 2016, the BLM is joining **Every Kid in a Park**, a new Administration initiative that will provide expanded access to public lands for 4th graders and their families. Field sites will be better able to serve visitors with programs and materials, including BLM Junior Explorer booklets.
- **Hands on the Land**, a growing network of outdoor classrooms that provides K-12 students with hands-on field-based learning, developed in partnership with local schools to meet local education standards. The BLM has more than 70 Hands on the Land sites. The BLM estimates that in 2016 the program will host over 1,300 days of outdoor classroom activities for nearly 61,000 students, teachers and parents. The program also creates connections with communities that leverage significant volunteer and school staff hours and in cash and in-kind contributions.
- **DOI/VISTA Interns**, the BLM and partner organizations address poverty through education and stewardship projects that build job skills.
- **Project-based Work and Internships** where Youth Corps organizations, such as the 21st Century Conservation Service Corps, help the BLM accomplish mission-critical work and provide job skills and training to young people, many from communities hard hit by unemployment.

McCollum Q4: How does BLM use youth to help its mission?

Answer: Engaging youth in volunteer service and in project-based work and internships provides the BLM with a cost-effective way to accomplish its mission of sustaining the health, diversity, and productivity of America's public lands for the use and enjoyment of present and future generations.

The BLM works with over 150 partners to engage youth corps crews, interns, and volunteers to perform the following functions:

- Building and maintaining trails and other recreational facilities that enable increasing numbers of visitors to enjoy public lands, and ensure public health and safety
- Engaging in habitat restoration projects, from invasive species removal to native seed collection and planting
- Assessing and addressing impacts of wildland fire
- Monitoring water quality and riparian health
- Monitoring the impacts of energy production on wildlife and public land health.

In addition to addressing current BLM resource management goals, these youth service and work programs are critical to workforce planning efforts. Through a continuum of youth programs

from early childhood to early career, the BLM is creating a diverse and skilled workforce for the 21st century, ensuring the long-term health, diversity, and productivity of public lands.



United States Department of the Interior

OFFICE OF THE SECRETARY
Washington, DC 20240

MAY - 1 2015

The Honorable John Fleming
Chairman
Subcommittee on Water and Power
Committee on Natural Resources
House of Representatives
Washington, D.C. 20515

Dear Mr. Chairman:

Enclosed are responses prepared by the U.S. Geological Survey to the questions for the record submitted following the March 24, 2015, oversight hearing entitled *Examining the Spending Priorities and Missions of the Bureau of Reclamation, the Four Power Marketing Administrations and the U.S. Geological Survey's Water Division in the President's FY 2016 Budget Proposal*.

Thank you for the opportunity to provide this material to the Subcommittee.

Sincerely,

Christopher P. Salotti
Legislative Counsel
Office of Congressional and
Legislative Affairs

Enclosure

cc: The Honorable Jared Huffman
Ranking Minority Member

**Question for the Record from Congressman Tom MacArthur
(3rd district NJ)
U.S. Geological Survey Response**

Question for the Record: [submitted on April 8, 2015]:

"I'd like any specific information the USGS can provide on potential impacts to water resources under the Pinelands National Reserve from the active and passive human activity, such as roads, cell towers and pipelines, specifically as it relates to the aquifer that underlies the Pinelands."

Response from the U.S. Geological Survey:

The Kirkwood-Cohansey Aquifer System, the water-bearing formation under the Pinelands Reserve, is a surficial aquifer. This means it is the top layer of formations under the Pinelands National Reserve. In this case, it also means there is no protective layer of clay above the aquifer, which makes it very vulnerable to surface contamination. The surficial sediments of the Pinelands Reserve are mostly fine-grained sands, and the poor quality of the topsoil means there is limited filtering or buffering capacity.

As a result, the water quality of this aquifer system has been impacted by wastewater disposal (domestic and municipal), road salting operations, agricultural activities, contamination sites, seawater intrusion, and atmospheric deposition.

In response to the specific question, we do not have any studies that include the impact of cell towers, pipelines or roadways on this aquifer system. However, the USGS has completed a number of studies of the Kirkwood-Cohansey aquifer. These studies have provided detailed information on the stratigraphy, which describes the composition and layering structure of the aquifer system. Understanding the stratigraphy of an aquifer

system is critical to understanding how contamination enters and moves through the groundwater.

These studies also provide information on the physical and chemical characteristics of the aquifer, including groundwater flow patterns, aquifer recharge, groundwater levels and historical trends and the interaction with surface water and aquatic habitats. The USGS has networks of monitoring wells that help interpret how water withdrawals and other factors have affected this aquifer over time. There are 32 total wells in the Kirkwood-Cohansey aquifer in the groundwater levels network. Twenty-four of them are continuously recording the groundwater levels and 6 are manually checked twice per year. Inside the Pinelands boundary we have 18 total wells. Fourteen are continuous and 4 are manual. Attached is a spread sheet listing the 14 continuous wells within the Pinelands. It also includes a link to the Groundwater Watch page for each well. This link will provide more detailed information on each well.

The USGS and the New Jersey Department of Environmental Protection also monitor water quality in another 50 wells in the Ambient Ground Water Quality Monitoring Network (AGWQMN) that are in the Kirkwood-Cohansey aquifer. Dissolved nutrients, common ions, dissolved organic carbon, dissolved trace elements (including arsenic and mercury), gross alpha and beta radionuclides, volatile organic compounds and pesticides are analyzed from samples collected from each of these wells. Depending on the concentrations of gross alpha and beta radioactivity in the sample, the analyses of Radium isotopes (224 and 226) may also be requested.

Attached is an image of the AGWQMN wells in the Kirkwood-Cohansey as well as a list of the specific wells (some of which are due to be sampled this spring/summer 2015).

The USGS has also developed cutting-edge groundwater modeling techniques to help describe the physical and chemical processes in the Kirkwood –Cohansey. These models provide resource managers with the tools needed to help analyze the impact of proposed water withdrawals on stream flow, wetlands, and aquatic ecosystems.

Groundwater models can also be used by land use decision makers to predict the loss of recharge from proposed land development.

UID	site_no	Station_Name	dec_lat_va	dec_long_va
010256	393333074442401	SCHOLLER 1 OBS	39.559283	-74.740162
010776	393232074263903	FAA SHALLOW OBS	39.444284	-74.541821
010778	392232074234403	EGG HARBOR HS SHALLOW	39.395672	-74.625158
050409	394422074430903	ATSION 3 OBS	39.739562	-74.718770
050570	394106074362501	MOUNT OBS	39.685118	-74.605989
050628	394452074281901	PENN SF SHALLOW OBS	39.747897	-74.471539
050630	394513074280601	PENN SF DEEP OBS	39.753730	-74.467928
050684	395122074301702	BUTLER PLACE 2 OBS	39.856229	-74.504319
050689	395150074284201	LEBANON SF 23-D OBS	39.864562	-74.479596
051251	400148074352101	MCGUIRE 08-MW-102 OBS	40.030114	-74.588767
151213	393749074550901	USGS UNDO6	39.631056	-74.920167
290514	394742074142002	GARDEN ST PKY 2 OBS	39.795675	-74.237919
291059	400120074265401	FORT DIX RLF-30 OBS	40.022338	-74.447929
291060	400232074213201	LNAS-EC OBS	40.043727	-74.357370

Groundwater Watch URL

<http://groundwaterwatch.usgs.gov/AWLSites.asp?ncd=njn&S=393333074442401>

<http://groundwaterwatch.usgs.gov/AWLSites.asp?ncd=njn&S=393232074263903>

<http://groundwaterwatch.usgs.gov/AWLSites.asp?ncd=njn&S=392232074234403>

<http://groundwaterwatch.usgs.gov/AWLSites.asp?ncd=njn&S=394422074430903>

<http://groundwaterwatch.usgs.gov/AWLSites.asp?ncd=njn&S=394106074362501>

<http://groundwaterwatch.usgs.gov/AWLSites.asp?ncd=njn&S=394452074281901>

<http://groundwaterwatch.usgs.gov/AWLSites.asp?ncd=njn&S=394513074280601>

<http://groundwaterwatch.usgs.gov/AWLSites.asp?ncd=njn&S=395122074301702>

<http://groundwaterwatch.usgs.gov/AWLSites.asp?ncd=njn&S=395150074284201>

<http://groundwaterwatch.usgs.gov/AWLSites.asp?ncd=njn&S=400148074352101>

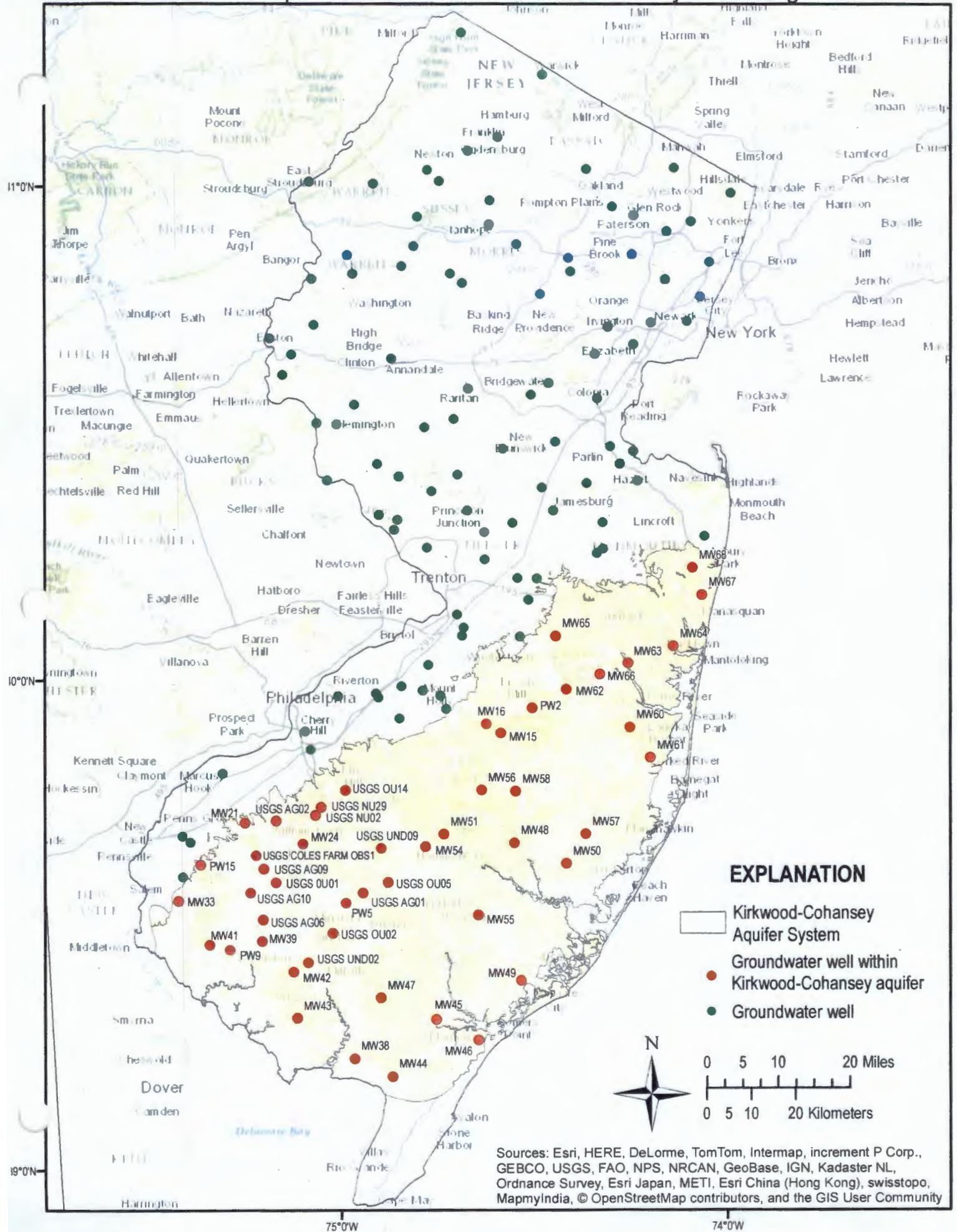
<http://groundwaterwatch.usgs.gov/AWLSites.asp?ncd=njn&S=393749074550901>

<http://groundwaterwatch.usgs.gov/AWLSites.asp?ncd=njn&S=394742074142002>

<http://groundwaterwatch.usgs.gov/AWLSites.asp?ncd=njn&S=400120074265401>

<http://groundwaterwatch.usgs.gov/AWLSites.asp?ncd=njn&S=400232074213201>

USGS/NJDEP Cooperative Ambient Groundwater Quality Monitoring Network





United States Department of the Interior

OFFICE OF THE SECRETARY
Washington, DC 20240

MAY - 7 2015

The Honorable Don Young
Chairman, House Natural Resources
Subcommittee on Indian, Insular, and Alaska Native Affairs
Washington, DC 20515

Dear Mr. Chairman:

Enclosed are responses prepared by the Office of the Special Trustee to questions received by Vincent Logan, Special Trustee for American Indians, following the March 18, 2015, oversight hearing before your Subcommittee on the President's FY 2016 Budget for the Office.

Thank you for the opportunity to provide this material to the Committee.

Sincerely,

Christopher P. Salotti
Legislative Counsel
Office of Congressional
and Legislative Affairs

Enclosure

cc: The Honorable Raul Ruiz
Ranking Member

Questions from Chairman Young:

- 1. The Office of the Special Trustee's budget contains a request for \$22.12 million for Office of Historical Accounting due to an anticipation of a workload decrease. Over the past several years, the Administration has settled trust accounting and mismanagement lawsuits totaling several billion dollars.**

Question: While The Office of the Special Trustee's request is a decrease from previous years, how much more historical accounting is still necessary?

Response: A number of cases have settled in the last few years, including *Cobell* and dozens of Tribal Trust cases. Notwithstanding the Administration's unprecedented success in settling these lawsuits, approximately 50 breach of trust cases brought by Tribes and individual Indians are still pending in various Federal District Courts and the Court of Federal Claims. Over a dozen of these cases were filed as recently as the past two years.

Settlement efforts are ongoing in many of the cases, and the Office of Historical Trust Accounting (OHTA) will continue to provide historical accounting information and other analyses to support the Administration's efforts to settle the cases without going to trial. However, settlement negotiations are not always successful; some cases will go to trial, which involves an increased demand on OHTA and OST for providing historical and other accounting information in support of litigation.

- 2. The Office of the Special Trustee's budget request contains an increase of \$1.2 million for an appraiser training program, "to address the shortage of qualified appraisers and the resulting delays in completing appraisal evaluations." This increase will provide employment opportunities as appraiser trainees to 12 Native Americans in Indian Country.**

Question: Please elaborate on how you arrived at the need of \$1.2 million and 12 Full Time Employees.

Response: The Office of Appraisal Services (OST-OAS) proposes to fill twelve real estate appraiser trainee positions and fund their participation in a three-year training program operated by the Department's Office of Valuation Services (OVS). Funding participation in a real estate appraiser trainee program directly aligns with the January 2014 Presidential Memorandum on job driven training:

"It is critical that the Federal Government ensure that its policies and programs in the workforce and training system are designed to equip the Nation's workers with skills matching the needs of employers looking to hire."

Participation in this program will provide Native American graduates with the skills and experience necessary to fill critical positions in OST. Additionally, providing long-term employment opportunities in Indian country is especially beneficial to tribal economic growth and self-determination. In addition, without an existing training program to develop new real estate appraisers, OAS and P.L. 93-638 tribal appraisal programs have no source to recruit qualified Native American candidates with bachelor degrees to fill vacant positions, thus there is currently little opportunity for young Native Americans to enter the profession.

Attaining licensing as a State Certified General Appraiser entails intense training and the time requirement is three to five years. This is in accordance with the minimum appraiser qualification standards set forth by the Qualifications Standards Board of The Appraisal Foundation. It is also difficult to find a fee/private State Certified General Appraiser willing to mentor those entering the profession for the first time.

The main components of the trainee program include approximately 340 hours of classroom instruction and a minimum of 3,000 hours of on-the-job-training involving fieldwork, per trainee. OVS training staff will work with OAS Supervisory Appraiser staff to ensure that the apprentice appraisers receive specific experience and training over the course of three years. Appraiser trainees will be hired into GS 5/7/9 laddered positions.

Question: Is this amount sufficient to ensure that the appraisal process will be significantly improved?

Response: The \$1.2 million will ensure that the future expected vacancy in appraiser positions of about 53% due to attrition will be backfilled by 12 Native American appraiser trainees to sustain the Indian lands appraisal program into the future. OAS appraiser positions are subject to the Indian Preference Law (25 US Code § 472a). OAS is planning to fill the remaining vacancies in appraiser positions with the Land Buy Back Program appraisers who will become available when the Program completes its project in FY2022.

Question: Could the process be improved with less additional appraisers?

Response: The appraisal process would not likely be improved with fewer additional appraisers. Budget cuts and attrition have reduced staffing in the Indian trust land appraisal program from an historic average of 61 real estate appraisers to the current level of 51, with 13 unfilled vacancies – a 25% vacancy rate. Currently, OAS is shifting appraisers among the OAS regional offices – based on workload analysis and complexity of the appraisals – in an attempt to meet the demands for appraisals in regions with insufficient staffing, which increases costs and delays delivery. OAS also shifts its resources to regions that have large backlog in appraisal requests to assist those regions in eliminating its backlog. However, due to the limited staff and a high overall workload shifting resources between regions creates backlog problems for regions who lend their appraiser staff to help other regions.

Within the next five years, half (27) of OAS's State Certified General Appraisers will be eligible for retirement. OAS is already faced with the highest appraisal workload in the federal government. Finally, reducing the number of appraisers would also reduce the amount of funding for the 36 tribal appraisal programs, since tribal shares are directly linked to the appropriated funding for appraisal programs and, by statute, to what the Secretary would have otherwise spent if she was operating the program.

Question: Could a restructuring of the current appraisal system solve this issue instead of the suggestion that this is simply a lack of employees?

Response: While OST is open to evaluating the potential benefits from restructuring the Office of Appraisal Services, it should be noted that the current organizational structure has been successful in providing real estate appraisals to support BIA real estate transactions and DOI Land Buy Back Program acquisitions. The current annual appraisal requests – about 6,000 for BIA regional operations and 11,000 from DOI LBBP, to total 17,000 appraisal requests – is to be completed by a current team of 58 appraisers, including 38 appraisers in regional Operations Division and 20 appraisers in the Land Buy Back Program Valuations Division.

According to statistics from the Federal Chief Appraiser's Committee/Roundtable, OST/OAS completes the highest number of appraisals in the federal government, and despite the high workload and limited staffing available, in FY 2014 the total backlog of requests at the end of the year was only 85 requests. This averages to 7 requests per OST region.

Follow-Up Question: What are your thoughts about letting a tribe, at its option, conduct its own appraisal so the Office of the Special Trustee does not have to?

Response: Tribes should be allowed to obtain or provide appraisal of their lands to support real estate transactions to support economic development or community services. OST currently has 36 Indian tribes operating the appraisal program under P.L. 93-638 contracts and self-governance compacts. The office is also in the process of approving three additional Indian tribes to assume the appraisal program. Under this arrangement, the Secretary reviews and approves the appraisals to ensure consistency in meeting the Uniform Standards of Professional Appraisal Practice standards.

3. Mr. Logan, your testimony touches on financial education for young people. You have created a new position at OST—Director of Financial Education.

Question: Can you elaborate on what types of educational and experiential learning formats you believe young children find the most beneficial? Is this in class instruction, forums, family or community involvement, etc.?

Response: While technological developments have automated the banking and investing industry, teaching financial skills effectively isn't so easily relegated to automation or digital wonder.

Research has shown that children as young as three have the ability to understand the concept of money, spending and consumerism. They also have the ability to learn the value of earning pay and saving for short term goals.

OST's approach to financial education has incorporated a lifecycle model. In partnership with other federal agencies and non-profit organizations, we are developing a holistic and branded platform of education modules suitable for every age group. To address your question directly, we find that facilitator-led activities offer the greatest learning environment for young children. The dynamic of the classroom teacher has never gone out of style.

This dynamic exists with most facilitators enthusiastic about the educational success of the participants. It is why we also offer train-the-trainer courses so tribal and community leaders will have the ability to perpetuate financial literacy for generations to come.

In the learning environment facilitated by OST staff and our partners, young participants count play money, are involved in skits acting out transactions involving commerce, engage in budget simulations, and participate in arts and crafts with financial themes.

As consumers we have all benefited from advances in technology. And there is no question that more people can receive financial education now more than at any time in history thanks to channels of digital distribution. It should be noted that adult learners seem to receive the most benefit from financial skills training via audio and video recordings, online webinars and other forms of remote education delivery - certainly much more effectively than children do. Realizing that it is not possible to arrange a facilitator in every educational situation, OST and our partners are developing other mediums to illustrate financial principles designed to encourage financial education in the home and community.



United States Department of the Interior

OFFICE OF THE SECRETARY

Washington, DC 20240

MAY 19 2015

The Honorable John Fleming
Chairman
Subcommittee on Water and Power
Committee on Natural Resources
House of Representatives
Washington, D.C. 20515

Dear Mr. Chairman:

Enclosed are responses prepared by the Bureau of Reclamation to the questions for the record submitted following the March 24, 2015, oversight hearing entitled *Examining the Spending Priorities and Missions of the Bureau of Reclamation, the Four Power Marketing Administrations and the U.S. Geological Survey's Water Division in the President's FY 2016 Budget Proposal*.

Thank you for the opportunity to provide this material to the Subcommittee.

Sincerely,

Christopher P. Salotti
Legislative Counsel
Office of Congressional and
Legislative Affairs

Enclosure

cc: The Honorable Jared Huffman
Ranking Minority Member

Committee on Natural Resources
Subcommittee on Water, Power, and Oceans
1334 Longworth House Office Building
March 24, 2015
10:30 a.m.

AGENDA

Oversight Hearing on:

“Examining the Spending Priorities and Missions of the Bureau of Reclamation, the Power Marketing Administrations and USGS Water Division in the President’s FY 2016 Budget Proposal.”

Questions from the Honorable Jim Costa

PANEL 1: Commissioner Lopez – Bureau of Reclamation

(1). Please provide the following to the Committee:

- The total amounts of federal appropriated and non-appropriated funds expended on implementation of the [SJRRP] program since approval of the Settlement by the Federal Court in 2006 and extending through FY 2014.

RESPONSE: The total amount of federal appropriations expended on the implementation of the San Joaquin River Restoration Program (Program) from Fiscal Year (FY) 2007 to FY 2014 was \$54,526,469. The total amount of non-appropriated funds expended on the implementation of the Program from FY 2007 to FY 2014 was \$58,640,586. In addition, Reclamation has expended \$3,226,468 of funds provided by the State of California on the implementation of the Program over this timeframe.

- The total amount of State funds expended on the SJRRP since court approval of the Settlement through FY 2014

RESPONSE: Based on information self-reported by the State, the State has expended \$58,196,147 on the implementation of the Program from State FY 2007 to FY 2014. The State has committed to seek multi-benefit projects and funds equaling at least \$200 million to support the implementation of the Settlement.

- The total amount paid into the San Joaquin River Restoration Fund by Friant long-term contractors under provisions of the Settlement Act providing for early repayment of Friant Division capital repayment and the collection of the (former CVPIA) surcharge on Friant water deliveries.

RESPONSE: As of the end of FY 2014, the Friant Division long-term contractors have paid a total of \$30,854,517 from the Friant Surcharge. In addition to this amount, \$217,081,705 of Friant Division's capital repayment obligation (which would have been due regardless of whether a settlement was executed) has been credited to the Fund. Lastly, the Friant Division has purchased over 600,000 acre-feet of water through the Recovered Water Account and Unreleased Restoration Flows programs for a total cost of \$6,725,551, which has also been credited to the Fund. These three sources of funds total \$254,661,773 that has been credited to the San Joaquin River Restoration Fund.

- The balance of unspent funds, by source, within the San Joaquin River Restoration Fund as of Oct. 1, 2014.

RESPONSE: The balance of unspent funds in the San Joaquin River Restoration Fund as of October 1, 2014 was \$196,021,187. This is the total receipts of \$254,661,773 less expenditures of \$58,640,586. We do not track expenditures by fund source.

(2). In 2014, Reclamation released a draft *Framework for Implementation* of the SJRRP for negotiation among the Settling Parties with appropriate input from affected Third Parties. The draft *Framework* is a revised implementation plan for the SJRRP made necessary because the timetable and cost estimates assumed by the Settlement in 2006 and 2009 have proved to be unattainable, is that correct?

RESPONSE: Yes. The San Joaquin River Settlement in *NRDC, et al., v. Rodgers, et al.*, (Settlement) provided an aggressive schedule to construct major improvements in the river and reintroduce spring and fall run Chinook salmon. The Settlement's schedule represents the minimum time period the Federal defendants calculated to complete the improvements. By 2011, it was evident that the timelines established in the Settlement were not going to be achieved. Reclamation prepared a revised schedule and budget for the Program, called the Working Draft Framework for Implementation, dated June 2012. The 2012 Framework was successful in establishing "core" projects and limiting actions that were being requested of the Program. In the intervening years Reclamation has refined this document in coordination with Settling Parties, Third Parties, and other Program stakeholders, and we expect to complete the Revised Framework for Implementation in July 2015.

(3). What are the primary causes of timetable delays and increased costs for the program?

RESPONSE: Several factors have contributed to schedule delays and increased costs confronting the Program. The primary four factors are: anticipated constrained funding available to the Program in future years even after the dedication of mandatory funding; seepage impacts on lands adjacent to the San Joaquin River and resulting adjustments to Program flows and

Program timelines; levee stability concerns and the resulting adjustments to Program flows and Program timelines; and subsidence impacts resulting in delays to key project construction activities such as the Arroyo Canal Fish Screen and Sack Dam Fish Passage Project. Based on the analysis in the Administrative Draft Revised Framework released in July 2014, seepage and levee stability costs are over \$483 million dollars and will not be fully addressed until the end of FY 2029. Both seepage and levee stability actions were not anticipated when the Settlement and Settlement Act were signed.

(4). Which components of the program have been completed on the schedule anticipated by the Stipulation of Settlement? Which components are not meeting that schedule?

RESPONSE: Dozens of distinct individual actions have been successfully completed by the Program since the Stipulation of Settlement was signed in 2006 and the enactment of the San Joaquin River Restoration Settlement Act (Settlement Act) in 2009. In general, the Program's major accomplishments are: (1) Interim Flows commenced in 2009 and concluded in 2013; (2) completed EIS and ROD for the Program covering Interim and Restoration flows from Friant Dam (October 2012); (3) obtained Biological Opinions from both the National Marine Fisheries Service and US Fish and Wildlife Service for Endangered Species Act-listed species under their purview for all Program actions (January 2012); (4) completed modification to Reclamation's water rights at Friant Dam to implement the releases required under the Settlement (September 2013); (5) completed the Restoration Flow Guidelines after 4 years of monthly negotiating sessions with the Settling Parties and began Restoration Flows on schedule (January 2014); (6) prepared a draft Recapture and Recirculation Plan and have been recapturing and recirculation Interim and Restoration flows since 2009; (7) allocated 680,440 acre-feet (AF) of Recovered Water Account credits in 2011 based on projected future water supply impacts and the Friant Contractors took delivery of over 482,000 AF; (8) completed the Program's Seepage Management Plan and Seepage Handbook in close coordination with the Third Parties and have installed more than 200 seepage monitoring wells to avoid or minimize adverse impacts to crops adjacent to the river (2009 and continuing); (9) completed the Program's first two seepage projects – a seepage easement on 4,500 acres and a fee title purchase of 400 acres addressing 20 percent of the about 23,000 acres potentially impacted by the Program flows; and (10) completed the Endangered Species Act 10(j) and 4(d) rules and the State of California equivalent process that allows for the take of spring-run Chinook salmon for certain activities in specific areas and provides protections to third parties from potential liability under the Federal and State Endangered Species Acts for reintroduced spring-run salmon. Components of the Program that are not meeting the originally anticipated schedule are channel modification and structural improvements identified in Paragraph 11(a) and 11(b) of the Settlement.

(5). What is the status of updating the draft *Framework*? When does Reclamation expect that a final implementation plan will be completed and put into place?

RESPONSE: Reclamation expects to complete the Revised Framework for Implementation in July 2015.

(6). The draft *Framework* estimates the total cost of the SJRRP will be \$1.4 billion, is that still the Bureau's estimate?

RESPONSE: Yes, \$1.421 billion is the current estimate to complete the Program. However, significant uncertainties associated with subsidence, hydrology, non-Federal cost share and other factors may affect costs moving forward.

(7). Last month, the Commissioner of Reclamation said that implementation of the SJRRP will cost between \$350 million and \$500 million over the next five years. (*Statement made during the USBR FY 2016 budget request briefing at DOI on Feb. 2.*) Is that correct? On what is that estimate based?

RESPONSE: The Revised Framework for Implementation seeks to develop a realistic schedule based on an anticipated realistic future funding stream. To that end, the Framework prioritizes and limits actions to those that can be accomplished with no more than about \$50 million in Federal appropriations plus funds from Central Valley Project (CVP) Restoration Fund and any mandatory funds remaining for the Program. Based on the July 2014 Administrative Draft Revised Framework, the anticipated Federal cost of the Program from FY 2015 to FY 2019 is \$261 million. This number will change slightly as the Framework is finalized in coordination with the Settling Parties and Third Parties. Based on the July 2014 draft Framework, the anticipated total cost of the Program (Federal and State costs) from FY 2015 to FY 2019 is \$330 million. Again, this number will change slightly as the Framework is finalized in coordination with the Settling Parties and Third Parties.

(8). Taking into account what has been spent on the program to date, the unspent balances in the San Joaquin River Restoration Fund that will become available without appropriation in 2019, State contributions, and Reclamation's estimate of future costs, does the Bureau believe that the SJRRP can be implemented within Settlement Act's existing appropriations authorizations?

RESPONSE: Taking into account the factors identified in your question, and based on the July 2014 Administrative Draft Revised Framework, we anticipate that the Program cannot be implemented within the Settlement Act's existing appropriations authorizations. However, we are exploring a variety of other Federal, State, and non-profit funding sources to implement the Program within the existing appropriations authorizations. These include additional State funding, funding from other Federal authorities, and grants from non-profit organizations. Overall, the total cost for the Settlement Paragraph 11(a) and 11(b) actions have increased slightly and extending the schedule of the Program has increased Program implementation costs. Based on the analysis in the 2014 Administrative Draft Revised Framework, seepage and levee stability costs to protect Third Parties are over \$483 million dollars. These actions and their significant cost were not anticipated or accounted for when the Settlement was signed and the Settlement Act was passed.

(9). If not, what is the Bureau's estimate of additional funding that Congress must authorize if the program is to be completed?

RESPONSE: As described above, we are exploring a variety of other Federal, State, and non-

profit funding sources to implement the Program with the existing appropriations authorizations. We would like time to explore these options and further refine and verify our cost estimates before identifying the additional funding that Congress must authorize if the Program is to be completed.

(10). What is the total amount of water that has been dedicated to Interim and Restoration flows to date? How much of that water has been recirculated, recaptured, reused or otherwise made available to Friant contractors? Please differentiate between the amount of water made available by recirculation, recapture, exchanges etc., and the amount of reduced-price water made available under the Settlement's Recovered Water Account program.

RESPONSE: To date the Program has resulted in a 623,000 AF water supply impact to the Friant Division long-term contractors. Of that 623,000 AF amount, 282,000 AF has been recaptured and allocated back to Friant, and during the wet years of 2010 and 2011, almost 482,000 AF of water was delivered to the Friant contractors under the Recovered Water Account component of the Program. Because of this, Reclamation and the Program have facilitated the delivery of 140,700 AF more water to Friant than they have been impacted to date, mitigating more water supply impacts than have actually occurred under the Program. As referenced above, this was accomplished by advancing the Friant contractors the ability to take Recovered Water Account water in the higher flow years of 2010 and 2011.

(11). What is the status of the plan mandated by Paragraph 16 of the Stipulation of Settlement for "recirculation, recapture, reuse, exchange or transfer" of Settlement flows? What are the primary obstacles to completion and implementation of the Paragraph 16 Plan? When does Reclamation expect to complete and implement the Paragraph 16 Plan?

RESPONSE: There have been numerous accomplishments pursuant to Paragraph 16 and the Settlement's directive to implement the Water Management Goal. Reclamation completed a draft Recapture and Recirculation Plan in 2011 and has been implementing that Plan since its completion. In addition, Reclamation completed a series of Environmental Assessments and Finding of No Significant Impact statements for recapture and recirculation activities and has implemented a robust program of recirculation, recapture, reuse, exchange or transfer of Interim Flows and Restoration flows since 2009. As stated in the response to Question 10 above, because of this, Reclamation and the Program have facilitated the delivery of 140,700 AF more water to Friant Division long-term contractors than they have been impacted to date, mitigating more water supply impacts than have actually occurred under the Program. We are working to largely complete the Recapture and Recirculation Plan this calendar year. A series of challenging issues will need to be overcome to do this, including identifying recapture opportunities and operations at the Federal and State pumping facilities in the Sacramento-San Joaquin Delta and addressing potential changes in water allocations to the CVP westside contractors that result from the Program and recapture actions. We will need the Settling Parties, south-of-Delta CVP contractors and the State of California fully engaged and willing to work toward collaborative solutions to accomplish our goal of largely completing the Recapture and Recirculation Plan this calendar year.

(12). What is the status of the Water Management Goal projects (canal capacity restoration, pump-backs) authorized by Part III of the Settlement Act? Has construction begun? When does Reclamation expect to complete the pump-back and canal-capacity projects?

RESPONSE: Reclamation has completed a draft Environmental Assessment, Feasibility Study and 60 percent design for the Friant-Kern Canal Capacity Restoration Project. We expect to finalize these documents this year and award the financial assistance agreement to the Friant Water Authority to begin construction of the project late this calendar year or early 2016. A total of \$11.466 million is requested for this activity in the FY 2016 budget. Reclamation is beginning the environmental compliance, Feasibility Study and design for the Madera Canal Capacity Restoration Project and expects to complete these efforts in 2017. Reclamation is beginning environmental compliance and design efforts on the Friant-Kern Canal Reverse Flow Pump-Back Project. We expect to award a contract for these efforts in this fiscal year. In an effort to increase efficiency and reduce costs, the Program Office purchased the pumps from the now decommissioned pumping plant at Red Bluff and plans to use these for this project. We expect that this will result in a tremendous cost savings for this project.

(13). How much funding has been awarded under the groundwater enhancement program authorized by Part III?

RESPONSE: In FY 2013, Reclamation awarded \$14.29 million to four projects and provided \$10 million in funding under Part III or Section 10202(a) of the Settlement Act. Within the timeframe identified in the Revised Framework, Reclamation anticipates completing construction on these projects, and allocating the required amount of staff time necessary to manage the agreements.

(14). What is the status of the channel improvements and other projects mandated by Paragraph 11 of the Settlement? Which of these projects are currently under construction? When does Reclamation expect to complete the Paragraph 11 projects?

RESPONSE: Paragraph 11 identifies several distinct activities, and the July 2014 Administrative Draft Revised Framework provides details on the progress to date in these areas. In summary, the Mendota Pool Bypass component of the Mendota Pool Bypass and Reach 2B Improvements Project is targeted to transition into construction in FY 2017. The Arroyo Canal Fish Screen and Sack Dam Fish Passage Project is targeted to transition into construction in FY 2020. The Reach 2B levees component of the Mendota Pool Bypass and Reach 2B Improvements Project is targeted to transition into construction in FY 2022. We expect to complete construction on all Paragraph 11 projects by the end of FY 2029.

(15). What is the status of the salmon reintroduction required by Paragraph 14 of the Settlement? Of the salmon that may have been reintroduced to-date, what percentage is expected to return to the San Joaquin River as mature adults? When does Reclamation expect to achieve the Settlement's restoration goal of a self-sustaining salmon fishery?

RESPONSE: On February 26, 2015, the Program released approximately 54,000 hatchery-produced juvenile spring-run Chinook salmon into the San Joaquin River. This year's release of

spring-run salmon marks only the second time in more than 50 years that juvenile spring-run salmon will be in the San Joaquin River; an equivalent number of fish were released in April 2014. The released spring-run salmon are considered an experimental population under the Endangered Species Act and are exempted from the take prohibitions by the CVP and State Water Project. The releases did not impact the water supply for any water user nor were any additional water releases made for the benefit of these fish. These releases provide an opportunity to carry out fisheries studies while contributing to the long-term reintroduction of spring-run Chinook salmon as called for in the Settlement. The percentage of salmon that return from juveniles released as adults is highly variable and dependent on fresh water and ocean conditions. Adult returns from fall-run Chinook releases in the Merced River have ranged from 0.02% to above 1% in the last 10 years. Since our spring-run releases were during low water years, we expect a fairly low return of 10 to 50 fish. An equivalent release under a wet year with decent ocean conditions could result in over 500 fish returning. Adults are anticipated to return to the river beginning in spring 2016, and the Program is prepared to trap and transport the returning adults up-river if conditions are such that they cannot make it on their own. A self-sustaining population of salmon is not achievable under current conditions, and the Revised Framework contemplates the achievement of a naturally-reproducing, self-sustaining population in the 20-year and beyond timeframe.

(16). Is the Settlement's Restoration goal of reestablishing a self-sustaining salmon fishery on the San Joaquin River practically achievable as the program is now configured? What changes would have to be made in implementation of the Settlement or the Settlement itself to make that goal achievable? Does the Settlement's target completion ("re-opener") date of 2025-26 still make sense in light of the delays encountered by the program, its current implementation status and funding outlook?

RESPONSE: Reclamation continues to believe that, provided the necessary appropriations and continued support from our fellow Settling Parties and the downstream landowners and water districts (the Third Parties), the Settlement's Restoration Goal is achievable and we are taking steps to reconfigure the Program in view of circumstances to assure that outcome. According to the 2014 Administrative Draft Revised Framework, the Program will be working towards completing the Paragraph 11(a) projects and have the ability to release full Restoration Flows in late FY 2029. An evaluation of flows under Paragraph 20 of the Settlement, if one occurs, should take into consideration the challenges and resulting schedule delays the Program has faced along with the changes in timelines and conditions for establishment of the salmon population.

(17). In 2014, Reclamation allocated a zero CVP water supply to Friant Division contractors and other South-of-Delta (SOD) contractors, and a zero SOD CVP supply also is anticipated for 2015, under Reclamation's most recent water supply forecast. Obviously, the CVP cannot meet its obligations to CVP contractors under current hydrological and regulatory conditions. Has Reclamation considered whether the Settlement's Restoration and Water Management Goals as envisioned in 2006 are achievable *at all* if current dry conditions continue or occur with greater frequency in the future?

RESPONSE: If current dry conditions continue, worsen, or occur with greater frequency in the future, many aspects of California's entire water storage and federal, state and local delivery system will be severely tested, in addition to ongoing river restoration programs such as the Program. The Settlement contemplated "Critical Low" years with less than 400,000 AF of unimpaired runoff, and the Program employs an adaptive management approach aimed at keeping core Program objectives moving forward amid adverse circumstances such as drought.

(18). The Settlement hydrographs show no restoration flow releases in dry years so that the Friant contractors can have a minimal water supply to meet critical water needs. With the unprecedented release of water by Reclamation from Friant for delivery to the Exchange Contractors in 2014, is Reclamation doing everything possible to provide critical water supplies to Friant contractors, including release of river restoration flows only after such critical supplies are made available to Friant Contractors?

RESPONSE: The Settlement hydrographs do not prohibit flow releases in all dry years, only "Critical Low" years. Dry years and Critical High years still allow for Restoration Flows. As stated above, the Program has mitigated more water supply impacts to the Friant contractors than have actually occurred under the Program due to advancing the Friant contractors the ability to take Recovered Water Account water in the higher flow years of 2010 and 2011. #

Questions from the Honorable Raul Ruiz

PANEL 1: Commissioner Lopez – Bureau of Reclamation

(1). Over the past 18 months, local authorities and stakeholders have come together to confront the complex challenges at the Salton Sea. They are working to develop solutions that would benefit Southern California region as well as the entire Colorado River Basin. Reclamation and the Department of the Interior have responded constructively to these local efforts by giving a high-level of attention to the deteriorating conditions at the Sea and by encouraging local and state authorities to develop “practical, implementable and affordable” solutions.

One such solution being proposed by the Imperial Irrigation District and Imperial County is the establishment of a renewable energy development area at the Sea to help fund health hazard mitigation and restoration work. This Salton Sea Restoration Renewable Energy Initiative would encompass both federal lands and non-federal at the Sea, including lands owned by the Bureau of Reclamation and other agencies of the Interior Department, which is currently considering requests by local authorities to participate in the initiative.

What is the status of Reclamation’s effort to identify and inventory federal lands at the Salton Sea that may be suitable for the proposed Salton Sea Restoration Renewable Energy Initiative? When do you expect this work to be completed, and when will Reclamation and Interior be in a position to act on local requests to include federal lands in the proposed Salton Sea renewable energy area?

RESPONSE: Reclamation has completed a land ownership map update with the Bureau of Land Management and the Imperial Irrigation District to support potential requests for use of Federal lands for renewable energy purposes in support of the Salton Sea Restoration Renewable energy Initiative (SSRREI).

The work is completed, and Reclamation and Interior are in a position to review local requests to include federal lands in the proposed Salton Sea renewable energy area. Reclamation is a member of the SSRREI Steering Committee, and meets regularly with the SSRREI team for technical support and potential land use requests.