

**RESCHEDULING GUIDELINES FOR THE FEDERAL SHARE  
OF STORAGE IN THE SAN LUIS RESERVOIR  
CENTRAL VALLEY PROJECT, CALIFORNIA**

**GENERAL:**

The following guidelines will apply to the rescheduling of Central Valley Project (Project) water from the then current Contract Year into the subsequent Contract Year and priority for storage in the Federal share of San Luis Reservoir (SLR)<sup>1</sup>.

It is the intent of the Bureau of Reclamation (Reclamation) that these guidelines establish the basic framework into the future to ensure that rescheduling and other storage in the Federal share of SLR will not interfere with upcoming Contract Year Project operations. Reclamation reserves the right to terminate, rescind, or amend these guidelines as needed.

Consistent with these guidelines, rescheduled Project water shall be the first Project water scheduled by and delivered to the contractor as of March 1 of each year **unless otherwise provided for in writing by Reclamation.**

**A. STORAGE PRIORITY IN SAN LUIS RESERVOIR:**

For purposes of these guidelines, the upcoming Contract Year Project water allocation supply including upcoming Contract Year water made available by the United States pursuant to Section 3406(d)(1) of the Central Valley Project Improvement Act (CVPIA) of October 30, 1992, for refuge and wildlife habitat restoration (hereinafter referred to as Level 2 Refuge Water) shall have first priority of storage in the Federal share of SLR over rescheduled Project irrigation and municipal and industrial (M&I) water as solely determined by Reclamation. The complete schedule of priorities is as follows:

1. Upcoming Contract Year Project water including Level 2 Refuge Water.
2. Upcoming Contract Year Incremental Level 4 Refuge Water.
3. Rescheduled Project:
  - a. Irrigation water
  - b. M&I water
4. Cross Valley Canal contractor water.
5. Non-Project and Non-allocated water supplies<sup>2</sup> acquired by existing South-of-Delta Project

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<sup>1</sup> Contractors may request permission to reschedule for use during the subsequent Contract Year some or all of the water made available to the contractor during the current Contract Year. Such water is referred to as Rescheduled Water. (Water made available is a contractually defined term that means the estimated amount of Project water that can be delivered to the contractor in a Contract Year. These guidelines refer to water made available as Project water allocation and allocated Project water.)

<sup>2</sup> For the purposes of these guidelines, “Non-allocated water supplies” shall mean: 1) Project water acquired through a sale, transfer, or exchange of water originating from upstream of the Delta or the Friant Division, or 2) water developed from sources ***other than*** allocated Project water acquired from a south-of-Delta CVP water service, exchange, or refuge contractor.

- contractors<sup>3</sup> and developed Incremental Level 4 Refuge Water.
6. San Joaquin River Restoration Settlement flow water in the Federal share of SLR.
  7. All other non-Project water.

## **B. APPROVAL AND SCHEDULING:**

**1. Request.** By February 5<sup>th</sup>, of the current Contract Year or the following Monday if the 5<sup>th</sup> falls on a weekend, contractors shall provide to Reclamation an estimate of unused allocated Project water, non-Project water, and non-allocated water supplies the contractor may request to retain in the Federal share of SLR after February 28/29<sup>th</sup>. If requesting to reschedule or continue to store any non-Project and/or non-allocated water supplies in the Federal share of SLR in the upcoming Contract year, the contractor shall refer to the applicable contract or agreement with Reclamation for storage terms and conditions. Any non-Project and non-allocated water supplies may, at Reclamation's sole discretion, be considered for retention in SLR subject to available storage space and subject to the storage priority established in Section A of these guidelines.

No later than February 15<sup>th</sup> or the following federal business day if the 15<sup>th</sup> falls on a weekend or holiday, the contractor shall submit a final written request to the South Central California Area Office (SCCAO) and to the San Luis & Delta Mendota Water Authority (SLDMWA) identifying the estimated total quantity of water the contractor desires to reschedule or continue to store in the Federal share of SLR under the applicable contract or agreement.

A contractor's final written request shall include a statement by an authorized officer that the contractor agrees to abide by these Rescheduling Guidelines<sup>4</sup>. The contractor *must* agree to abide by the then-applicable guidelines in order to participate in rescheduling/storage of water supplies from one Contract Year to the subsequent Contract Year.

A final quantity of rescheduled Project water and rescheduled non-Project, and non-allocated water supplies to be retained in the Federal share of SLR shall be submitted no later than March 10<sup>th</sup> or the following Monday if the 10<sup>th</sup> falls on a weekend. Should adjustments need to be made based on the then-current hydrologic conditions, Project operations, and rescheduling/storage requests received, Reclamation may require revised requests from the contractors prior to the rescheduling/storing any current Contract Year Project water, non-allocated water supplies, and/or non-Project water.

Reclamation reserves the right to reject any request for, or rescind any approval of, rescheduling of Project water, rescheduled or stored non-allocated water supply, or stored non-Project water due to factors beyond Reclamation's control, or due to circumstances not contemplated or foreseen when these guidelines were drafted.

The *maximum quantity* of current Contract Year Project water that can be rescheduled is limited to any unused portion of the respective contractor's current Contract Year's Project water

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<sup>3</sup> For purposes of these guidelines, an existing Project contractor is defined as those entities located in and south of the CVP Delta export facilities which hold interim or long-term water service contracts or long-term repayment contracts for Project water.

<sup>4</sup> Water delivery schedules submitted pursuant to a water service or repayment contract identifying requested amounts to be rescheduled are acceptable, provided that they include agreement to abide by these Rescheduling Guidelines.

allocation or 10% of their CVP Contract Total, whichever is less.

Beginning January 1<sup>st</sup> of the current Contract Year, no portion of the maximum quantity may be transferred or used by any other contractor that results in increasing the transferee contractor's rescheduled quantity by *any* amount.

Reclamation will also provide for the retention in storage of developed Incremental Level 4 Refuge Water supplies to the extent those water supplies were developed after October 1<sup>st</sup>, represent new water to the reservoir absent their development, and are evacuated from the reservoir no later than April 30<sup>th</sup> of the subsequent year. No provision is made for rescheduling Level 2 Refuge Water. This limitation is necessary to assure there is no impact in the amount of CVP water made available for allocation to the CVP contractors in the subsequent Contract Year.

The total quantity of water that may be cumulatively rescheduled or stored by all contractors (including Project water, non-allocated water supplies, and non-Project water) cannot exceed the quantity of water in storage in the Federal share of SLR on February 28/29<sup>th</sup>. Should the cumulative rescheduling and storage requests exceed the physical quantity of water in SLR storage, Reclamation will reduce the maximum quantity limitation identified previously in this Section to an amount necessary to ensure that the total amount of rescheduled Project water, rescheduled or stored non-allocated water supplies, and stored non-Project is less than or equal to the quantity of water stored in the Federal share of SLR on February 28/29<sup>th</sup>.

**2. Limitation on M&I Water.** Consistent with Section A of these guidelines, rescheduled Project irrigation water shall have a priority over rescheduled Project M&I water. Project M&I water may only be accepted for rescheduling if there remains sufficient capacity in the Federal share of SLR to accommodate the rescheduled Project M&I water after all upcoming Contract Year Project water is accounted for, and all rescheduled requests for current Contract Year Project irrigation water within the maximum quantity have been accommodated at Reclamation's sole discretion.

**3. Schedule.** The SCCAO will review and consult with others as necessary in order to provide the contractor with written approval or denial of the contractor's written request for all rescheduled Project water, rescheduled or stored non-allocated water supply, and stored non-Project water. Upon receiving notification that the contractor's rescheduling/storage request(s) have been approved, the contractor will also submit to SCCAO a delivery schedule for such water, for Reclamation approval. Any revisions to an approved schedule must be submitted along with the required monthly water delivery schedule in a timely manner, but no later than 24 hours prior to the proposed change. If rescheduled Project water, rescheduled or stored non-allocated water, and stored non-Project water is lost, following the Loss Criteria described in Section B (6) below, the contractor will need to submit revised schedules in accordance with the applicable contract or agreement.

**4. First Water Evacuated.** All rescheduled Project water, rescheduled or stored non-allocated water, and stored non-Project water is subject to available conveyance and storage capacity. If there is insufficient storage space in the Federal share of SLR to store these supplies, such water must be evacuated as soon as possible upon notice from Reclamation. If additional categories of

water are stored in the Federal share of SLR, these other supplies will be evacuated consistent with the storage priority in Section A.

**5. Transfers/Exchanges and/or Banking of Rescheduled Water.** Subject to prior approval and at the sole discretion of Reclamation, rescheduled Project water may be eligible for transfers, exchanges and/or banking during the upcoming Contract Year. Any transferred rescheduled Project water shall be the first Project water delivered to the transferee.

**6. Loss Criteria.** Rescheduled Project water, rescheduled or stored non-allocated water, and stored Non-Project water shall not interfere with the upcoming Contract Year Project operations. Reclamation has the discretion to limit the amount of rescheduled Project water, rescheduled or stored non-allocated water, and stored non-Project water in the Federal share of SLR if it impacts the upcoming Contract Year Project operations. The loss of rescheduled Project water, rescheduled or stored non-allocated water supply, and stored non-Project water as SLR fills will be in accordance with the following conditions to avoid impacts to upcoming Contract Year allocations.

1. In the event the Federal share of SLR does not fill prior to a sustained drawdown:
  - a. The rescheduled Project water and rescheduled or stored non-allocated water supply will be considered to “float” on top of upcoming Contract Year Project water and will be deemed as having no impact on upcoming Contract Year Project supplies. Rescheduled Project water must be the first Project water scheduled and used in the upcoming Contract Year.
2. In the event the Federal share of SLR is deemed full on March 1 or fills prior to a sustained 3-day drawdown, Reclamation will maintain a record of foregone pumping from the time the Federal share of SLR fills until the conclusion of a sustained 3-day drawdown, as determined solely by Reclamation, and the loss of rescheduled water and stored non-Project water will be calculated by Reclamation as follows:
  - a. Total rescheduled Project water, rescheduled or stored non-allocated water supplies, and stored non-Project water shall be reduced by the amount of foregone upcoming Contract Year Project pumping. Following a 3-day sustained drawdown in the Federal share of SLR, the remaining quantity of rescheduled Project water, rescheduled or stored non-allocated water, and stored non-Project water, if any, shall be reduced by an amount equal to the foregone Pumping as determined solely by Reclamation.
  - b. Any necessary reduction in rescheduled Project water, rescheduled or stored non-allocated water, and stored non-Project water shall be progressively and sequentially applied to the various categories of water starting with the lowest priority as outlined in Section A of these guidelines.
  - c. If applicable foregone pumping exceeds the total volume of rescheduled Project water, rescheduled or stored non-allocated water remaining, and stored non-Project water as of the sustained 3-day drawdown, all remaining water

other than current Contract Year allocated water supply shall be lost.

3. Beginning April 1<sup>st</sup> of the upcoming Contract Year, Reclamation will also assess a loss factor of ***1% per month*** to rescheduled Project water, rescheduled or stored non-allocated water, and stored non-Project water to account for evaporation and system losses to help ensure there is no impact to upcoming Contract Year Project operations. This factor will be reviewed each year and updated as appropriate to help ensure it reflects a close approximation of the actual annual evaporation and system losses in the Federal share of SLR.

In advance of any reductions in rescheduled Project water, rescheduled or stored non-allocated water, and stored non-Project water quantities attributable to foregone pumping, Reclamation will make all reasonable effort to notify contractors of Section 215 water availability during the time that such foregone pumping occurs.

Delivery of the volume of rescheduled Project water, rescheduled or stored non-allocated water, and stored non-Project water available for use after the sustained drawdown shall be consistent with the revised schedules provided per Section B (3). In the unlikely event that sustained drawdown does not occur until after April 1, Reclamation shall consult with the contractors and may modify its calculation of the volume of rescheduled Project water, rescheduled or stored non-allocated water, and stored non-Project water lost, consistent with the principle that any water other than current Contract Year Project water shall not interfere with Project operations or Reclamation's ability to make Project water available to contractors or refuges.

Reclamation will make reasonable efforts to keep contractors apprised of current and anticipated Project operations to assist in the prudent management of rescheduled Project water, rescheduled or stored non-allocated water, and stored non-Project water. Reclamation will provide SLDMWA and Friant Water Authority a monthly accounting of Rescheduled Water and Stored Non-Project water remaining in SLR. To the extent necessary, Reclamation shall inform the contractors and SLDMWA of the total quantity of rescheduled Project water, rescheduled or stored non-allocated water, and stored non-Project water that may be lost due to foregone pumping.

**7. Section 215 Water.** Contractors who have rescheduled Project irrigation or M&I water and have not taken full delivery of such water may be allowed to enter into temporary contracts with Reclamation for non-storable or unmanageable flood flows of short duration (Section 215 water). Except to the extent contractors can demonstrate that Section 215 water will satisfy ***additional demand***, contractors will be required to forfeit an equal quantity of any rescheduled Project water rescheduled or stored non-allocated water and stored non-Project water they may have remaining in the Federal share of SLR at the time they commence delivery of Section 215 water.

### **C. PAYMENT:**

Reclamation has established Business Practice Guidelines (BPG) that provide guidance for developing rates, identifying contractor obligations and payment requirements, and applying revenue for rescheduled Project water and rescheduled non-allocated Project water. The BPG is posted at [https://www.usbr.gov/mp/cvp/docs/bus\\_practice\\_guideline\\_resch\\_cvp\\_water.pdf](https://www.usbr.gov/mp/cvp/docs/bus_practice_guideline_resch_cvp_water.pdf) and is updated as appropriate to reflect applicable rates and charges. Please refer to the BPG to

determine the rates, charges and fees applicable to rescheduled Project water and rescheduled non-allocated Project water, and to the appropriate rate schedule for stored non-Project or non-allocated waters the contractor is requesting to retain in the Federal share of SLR after February 28/29<sup>th</sup>.