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## State Water Resources Control Board

# REVISED NOTICE OF PUBLIC WORKSHOP

### Drought Activities in the Bay-Delta Wednesday, May 20, 2015 – 9:00 a.m.

Joe Serna Jr. - CalEPA Headquarters Building  
**Byron Sher Auditorium**  
1001 I Street, Second Floor  
Sacramento, CA 95814

**NOTICE IS HEREBY GIVEN** that the State Water Resources Control Board (State Water Board or Board) will hold a public workshop at the time and location noted above to receive public input regarding the State Water Board's drought related activities in the San Francisco Bay/Sacramento-San Joaquin Delta (Bay-Delta) watershed. This will be an informational workshop only and no formal State Water Board action will be taken.

#### FORMAT OF THE WORKSHOP

**The workshop will be conducted in two sessions.** The beginning of the workshop will be focused on the Temporary Urgency Change Petition (TUCP) filed by the Department of Water Resources (DWR) and U.S. Bureau of Reclamation (Reclamation) to change water right conditions requiring the State Water Project and Central Valley Project (collectively Projects) to meet Bay-Delta flow and water quality objectives and other Project operations. The second session of the workshop will be focused on water right curtailment issues. **The water right curtailment session will begin no sooner than one o'clock in the afternoon.** Those that wish to speak on both session topics should present their comments together during either session. In the interest of time, commenters should not plan to present at both sessions.

The first session of the workshop will begin with a brief introductory presentation by State Water Board staff. DWR and Reclamation will then provide a presentation on the current hydrology and State Water Project and Central Valley Project operations during the drought, including discussions of project operations, planned transfers and the temporary barrier. Staff from the Department of Fish and Wildlife, U.S. Fish and Wildlife Service, and National Marine Fisheries Service will then provide a presentation on fish and wildlife conditions in the Bay-Delta, followed by comments from the Department of Food and Agriculture. The State Water Board will then hear from panels and individual commenters.

The second session of the workshop on water right curtailments will begin with a brief introductory presentation by State Water Board staff followed by panel presentations and individual comments.

## **BACKGROUND**

California is entering its fourth consecutive year of below-average rainfall and very low snow pack, with the majority of the State currently experiencing exceptional drought conditions according to the U.S. Drought Monitor. In addition, eight of the last nine years, including Water Year 2015 have had below average runoff, which has resulted in chronic and significant shortages to municipal, industrial, agricultural, and wildlife refuge supplies and historically low groundwater levels. As a result of these drought conditions, on January 17, 2014, Governor Brown issued a Proclamation of a State of Emergency and directed the State Water Board and other agencies to take various actions to respond to the drought. The State Water Board was specifically directed to consider various actions to improve water supplies, including funding actions, transfers, and petitions to change water right requirements to reduce reservoir release requirements and expand water right places of use. The State Water Board was also directed to take actions related to curtailments of water rights due to unavailability of water. The Governor has since issued additional Proclamations extending and expanding the provisions of the prior Proclamations.

### Temporary Urgency Change Petition to Modify Bay-Delta Requirements

On February 3, 2015, the Executive Director of the State Water Board issued an Order that took action on a January 23, 2015 TUCP filed by DWR and Reclamation to change water right conditions requiring the State Water Project and Central Valley Project to meet Bay-Delta flow and water quality objectives during February and March of this year in order to conserve water in storage and increase exports from the Delta for water supply purposes. The February 3 Order was modified on March 5 to change the export constraints and other requirements in the February 3 Order. On March 24, 2015, DWR and Reclamation requested approval of additional changes to flow and water quality requirements through September of this year. The Executive Director issued a modified Order based on that request on April 6, 2015, that approved changes through June. Among other conditions, the April 6 Order includes a requirement that Reclamation submit for the Executive Director's approval and to implement a Temperature Management Plan for the Sacramento River to ensure that operations will provide reasonable protection for winter-run Chinook salmon and other salmonids. The April 6 Order also requires Reclamation to submit for the Executive Director's approval and to implement a plan for operations of New Melones Reservoir that reasonably protects fish and wildlife on the Stanislaus River. The Executive Director has provisionally approved preliminary drafts of both the Sacramento and Stanislaus River plans, which are posted, along with other information concerning the TUCP process, on the State Water Board's website at:

[http://www.waterboards.ca.gov/waterrights/water\\_issues/programs/drought/tucp.shtml](http://www.waterboards.ca.gov/waterrights/water_issues/programs/drought/tucp.shtml) .

DWR and Reclamation are expected to submit in May a TUCP renewal request for changes to Bay-Delta flow and salinity requirements for July through September consistent with the requested changes for this time period included in the March 24 request. The Executive Director expects to act on that request before July 1, 2015.

### Temporary Emergency Drought Barrier

On April 17, 2015, DWR submitted an application for a water quality certification to install a single emergency drought barrier at West False River to help preserve water quality in the Delta. The Executive Director is expected to act on the application shortly. If necessary approvals are received, DWR plans to complete construction of the barrier in June. Removal is planned for November of 2015. Additional information concerning the barrier can be found on the State Water Board's website at:

[http://www.waterboards.ca.gov/waterrights/water\\_issues/programs/water\\_quality\\_cert/ceqa\\_projects.shtml#dbwfr](http://www.waterboards.ca.gov/waterrights/water_issues/programs/water_quality_cert/ceqa_projects.shtml#dbwfr) .

### Water Right Curtailments

Consistent with the direction in the Governor's Proclamation to take all necessary actions to prepare for water supply shortfalls, the State Water Board has taken actions to curtail water rights in specific areas of the state if there is insufficient water to fulfill the needs of all water right holders. The curtailment process is designed to ensure that water is allocated in an orderly way based on the seniority of the water rights. To date, curtailments in the Bay-Delta watershed have been issued due to unavailability of water for diverters that hold post-1914 appropriative water rights in the Sacramento, San Joaquin, and Delta watersheds. In addition, curtailments have been issued to preserve minimum flows needed to protect salmon on Deer and Antelope Creeks. Due to the severe drought conditions, additional curtailments are likely in the coming months, including curtailments of diversions under claimed senior water rights. Additional information concerning water right curtailments can be found on the State Water Board's website at:

[http://www.waterboards.ca.gov/waterrights/water\\_issues/programs/drought/water\\_availability.shtml](http://www.waterboards.ca.gov/waterrights/water_issues/programs/drought/water_availability.shtml).

### **MATTERS FOR DISCUSSION AT THE WORKSHOP**

The Board will receive public input regarding drought related actions that the State Water Board has taken or may take in the future in the Bay-Delta watershed related to the drought. The public will have an opportunity to comment on the above matters, including the TUCP process described above and the associated Sacramento and Stanislaus River operations plans, the emergency barrier, **planned water transfers and** drought related water right curtailment actions.

### **PROCEDURAL MATTERS**

The workshop will be informal. While a quorum of the State Water Board may be present, the Board will not take formal action at the workshop. There will be no sworn testimony or cross-examination of participants, but the State Water Board and its staff may ask clarifying questions. The workshop is an opportunity for interested persons to provide input to the State Water Board. To ensure a productive and efficient workshop, oral comments will be limited to **five (5) minutes** or otherwise at the discretion of the Board Chair. The participants are encouraged to form panels when providing input to the State Water Board. Panels may be granted additional time for their comment period. Those participants who form panels should notify State Water Board staff in advance. State Water Board staff will attempt to accommodate panelists so that all participants have a chance to provide input.

### **ADDITIONAL INFORMATION AND QUESTIONS REGARDING THE WORKSHOP**

Questions concerning this notice may be directed to Rich Satkowski at (916) 341-5439 or [rich.satkowski@waterboards.ca.gov](mailto:rich.satkowski@waterboards.ca.gov), or to Chris Carr at (916) 341-5305 or [chris.carr@waterboards.ca.gov](mailto:chris.carr@waterboards.ca.gov). Additional information concerning the State Water Board's drought activities can be found at:


[http://www.waterboards.ca.gov/waterrights/water\\_issues/programs/drought/index.shtml#](http://www.waterboards.ca.gov/waterrights/water_issues/programs/drought/index.shtml#) or at the links indicated above.

### **PARKING, ACCESSIBILITY AND SECURITY**

The CalEPA Building is accessible to people with disabilities. Individuals who require special accommodations at the CalEPA Building are requested to contact Tanya Cole, Equal Employment Opportunity Office, at (916) 341-5880. Due to enhanced security precautions at the CalEPA Building, all visitors are required to register with security staff prior to attending any meeting. To sign in and receive a visitor's badge, visitors must go to the Visitor and Environmental Services Center, located just inside and to the left of the building's public entrance. Depending on their destination and the building's security level, visitors may be

asked to show valid picture identification. Valid picture identification can take the form of a current driver's license, military identification card, or state or federal identification card. Depending on the size and number of meetings scheduled on any given day, the security check-in could take up to fifteen minutes. Please allow adequate time to sign in before being directed to the hearing.

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Date                      May 18, 2015

  
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Jeanine Townsend  
Clerk to the Board