

From: Howard, Tom

Sent: Wednesday, April 01, 2015 4:34 PM

To: Murillo, D@USBR; Cowin, Mark@DWR; Riddle, Diane@Waterboards; Trgovcich, Caren@Waterboards; Leahigh, John@DWR; RMILLIGAN@usbr.gov; Grober, Les@Waterboards; Mahaney, Erin@Waterboards; Evoy, Barbara@Waterboards

Cc: Burns, Gordon@EPA

Subject: TUCP

Mark and David,

On March 24, 2015, you submitted to me a request pursuant to a Temporary Urgency Change Petition (TUCP) to temporarily modify requirements for operation of the State Water Project (SWP) and Central Valley Project (CVP) pursuant to State Water Board Decision 1641. The request includes the following elements: relaxation of Delta outflow requirements, amendment of Delta Cross Channel (DCC) Gate operational requirements, relaxation of the San Joaquin River at Vernalis flow requirements, ramped export provision when Delta outflows and DCC Gate requirements are not being met, relaxation of the Sacramento River at Emmaton and San Joaquin River at Vernalis electrical conductivity (EC) requirements, and relaxation of the Sacramento River at Rio Vista flow requirement. You requested some of these changes to go into effect on April 1.

We received the fish agency concurrence letters for this proposal on March 27, 2015. Given the complexity of this matter, we will not be able to get an order prepared by close of business today. In order to avoid any confusion, I am informing you that I do not object to operation of the SWP and the CVP in conformance with the proposed operations identified in the TUCP request from now until my order on the TUCP is issued. Once the order is issued, it will be operative. As my staff has indicated to you, the Order will not address changes to Rio Vista flow requirements or changes beyond the expiration of the current TUCP because a renewal of the petition is needed for changes beginning in August of 2015. Since there may be a further request for changes in July, my Order will also not address changes in July. The Order also will not address changes to Vernalis EC because information has not yet been submitted regarding effects on other legal users of water as requested by my staff. However, EC levels at Vernalis are currently very low and the Rio Vista flow requirements are not currently effective so these issues should not have a material effect at this time. Based on information available to me relevant to this matter, I do not object to your implementation of the TUCP provisions pending my issuance of my decision on this matter.

Please do not view this temporary action as any indication of what permanent action I may take on the TUCP request.

Thomas Howard

Executive Director

State Water Resources Control Board