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Chief Executive Officer

854 N. Harvard Ave.
Lindsay, CA 93247

1121 L St., Ste. 610
Sacramento, CA 95814

(559) 562-6305

April 5, 2022

Ms. Eileen Sobeck
Executive Director
State Water Resources Control Board
1001 I Street
Sacramento, CA 95814

Eileen.Sobeck@waterboards.ca.gov

Subject: Temporary Urgency Change Petition Regarding Delta Water Quality

Dear Ms. Sobeck:

On behalf of Friant Water Authority (FWA), thank you for the opportunity to comment on the Temporary Urgency Change Petition (TUCP) to modify certain terms of Decision 1641 (D-1641) required for Central Valley Project (CVP) and State Water Project (SWP) water right licenses and permits.

Our members are Friant Division contractors of the CVP, all of whom draw some of their water supplies from the San Joaquin River stored at Millerton Lake. The Friant Division's water supply was made possible by purchase and exchange agreements between Bureau of Reclamation (Reclamation) and the original riparian water users of the San Joaquin River. Part of those agreements allow for these water users, the San Joaquin River Exchange Contractors (Exchange Contractors), to exercise their rights to the San Joaquin River when Sacramento River supplies cannot be delivered to them from the Sacramento-San Joaquin Delta (Delta) via Jones Pumping Plant, Delta-Mendota Canal, and San Luis Reservoir. Such has happened twice in the history of the CVP, in 2014 and 2015, and in both years the Exchange Contractors instead received their water supplies from Millerton Lake (typically referred to as a "call" on Friant). On April 1, 2022, Reclamation increased releases out of Millerton Lake for delivery to Exchange Contractors. Thus, although Friant Contractors are not direct users of Delta exports, Delta operations can affect Friant Division water supplies as a side effect and are already occurring in 2022.

More than merely impacting Friant Division water users, however, a call on Friant would carry severe unintended consequences for humans, ecosystems, and efforts to achieve groundwater sustainability in the San Joaquin Valley.

The California Department of Water Resources (DWR) and Reclamation have proposed operational requirements that will help mitigate the scale of a call on Friant. Reducing Delta outflow and water quality standards, while limiting CVP and SWP exports to a combined 1,500 cfs will allow for critical conservation of upstream

storage. While minimum pumping during the period of the TUCP will have an initial impact to Friant, having flexibility to increase exports when D-1641 is being met during the TUCP and after will allow for flexibility to export supplies and minimize the scale or volumes of water requested by the Exchange Contractors from Millerton Lake compared to without the TUCP.

We encourage the SWRCB to include these provisions as requested by DWR and Reclamation for any order it issues related to the TUCP. The 1,500 cfs export rate is consistent with other regulatory requirements, allows for operational flexibility if TUCP standards are not being met, and minimizes cycling of units that could result in potential failure.

FWA understands that SWRCB has statutory and regulatory requirements to minimize impacts to listed species from water project operations, but we urge you to consider the broad context for your decisions and the potential they carry for collateral damage.

Please contact us with any questions on the above comments. We always stand ready to provide input on how to craft equitable and balanced solutions during extreme drought conditions.

Sincerely,

A handwritten signature in blue ink, appearing to read "Jason Phillips".

Jason Phillips, Chief Executive Officer
Friant Water Authority

cc:

Scott Frazier, State Water Resources Control Board, Scott.Frazier@waterboards.ca.gov

James Mizell, Department of Water Resources, James.Mizell@water.ca.gov

Amy Aufdemberge, U.S. Bureau of Reclamation Regional Solicitor's Office, Amy.Aufdemberge@sol.doi.gov