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State Water Resources Control Board

**REVISED**

## NOTICE OF DROUGHT RELATED PUBLIC WORKSHOPS

### Temporary Urgency Change Petition for the Central Valley and State Water Projects and State Water Board Water Availability Actions

**Tuesday, February 18, 2014 – 9:00 a.m.**  
**continuing, if necessary, on Wednesday, February 19, 2014**  
Joe Serna Jr. - Cal/EPA Headquarters Building  
Byron Sher Auditorium  
1001 I Street, Second Floor  
Sacramento, CA 95814

**AND**

### State Water Board Actions to Increase Water Conservation, Reuse, Recycling and other Drought Related Measures

**Wednesday, February 26, 2014 – 9:00 a.m.**  
Joe Serna Jr. - Cal/EPA Headquarters Building  
Coastal Hearing Room  
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 public workshops at the time and location noted above to receive public input on drought-related topics. On **February 18 and 19** (if necessary), the State Water Board will receive input on the [January 31, 2014 State Water Board Order, modified on February 7, 2014, approving a Temporary Urgency Change Petition \(TUCP\)](#) filed by the California Department of Water Resources (DWR) and United States Bureau of Reclamation (Reclamation) (collectively referred to as Petitioners) on January 29, 2014, regarding Delta water quality. The Board will also receive input related to Board drought-related water curtailment actions.

On **February 26**, the State Water Board will receive input on other actions that it is, or should be taking in response to continuing drought conditions. Input may address both water right and water quality related programs.

These will be informational workshops only and no State Water Board action will be taken.

FELICIA MARCUS, CHAIR | THOMAS HOWARD, EXECUTIVE DIRECTOR

## BACKGROUND

On January 17, 2014, Governor Brown signed a proclamation declaring a [drought State of Emergency in California](#). In the proclamation, the Governor states that California is experiencing record dry conditions, with 2014 projected to become the driest year on record. In addition, the state's water supplies have dipped to alarming levels, indicated by: 1) limited snowpack in California's mountains, which is approximately 12 percent of the normal average for this date; 2) very low water levels for this time of year in California's largest reservoirs; 3) significantly reduced surface water flows in California's major river systems, including the Sacramento and San Joaquin Rivers; and 4) significantly reduced groundwater levels throughout the State.

The Governor ordered the State Water Board to take a number of actions to address the drought, including: 1) execute a statewide water conservation campaign; 2) expedite processing of water transfers, as called for in [Executive Order B-21-13](#); 3) immediately consider petitions requesting consolidation of the places of use of the State Water Project and federal Central Valley Project, which would streamline water transfers and exchanges between water users within the areas of these two major water projects; 4) accelerate funding for water supply enhancement projects; 5) put water right holders throughout the state on notice that they may be directed to cease or reduce water diversions based on water shortages; 6) consider modifying requirements for reservoir releases or diversion limitations, where existing requirements were established to implement a water quality control plan; and 7) take actions necessary to make water immediately available.

## MATTERS FOR DISCUSSION

The February 18 & 19 public workshop will address the following topics. A more detailed agenda will follow.

### 1) TUCP and State Water Board Order Approving Temporary Urgency Change

On January 29, 2014, Petitioners filed a TUCP with the State Water Board, Division of Water Rights (Division) requesting approval of a change pursuant to California Water Code section 1435 et seq. The Petitioners requested temporary modification of their permit and license<sup>1</sup> terms for the Central Valley and State Water Projects. Specifically, the TUCP requested temporary modification of terms imposed pursuant to State Water Board [Decision 1641](#) that require Petitioners to meet water quality objectives established in the Water Quality Control Plan for the San Francisco Bay/Sacramento-San Joaquin Delta Estuary. On January 31, 2014, the Executive Director of the State Water Board, acting under delegated authority, issued an Order approving the TUCP. The Petitioners' TUCP, the Order approving the TUCP, public notice of the TUCP, and related information may be viewed and downloaded from 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)

<sup>1</sup> The petition was filed for Permits 16478, 16479, 16481, 16482 and 16483 (Applications 5630, 14443, 14445A, 17512 and 17514A, respectively) of the Department of Water Resources' State Water Project and License 1986 and Permits 11315, 11316, 11885, 11886, 11887, 11967, 11968, 11969, 11970, 11971, 11972, 11973, 12364, 12721, 12722, 12723, 12725, 12726, 12727, 12860, 15735, 16597, 20245, and 16600 (Applications 23, 234, 1465, 5638, 13370, 13371, 5628, 15374, 15375, 15376, 16767, 16768, 17374, 17376, 5626, 9363, 9364, 9366, 9367, 9368, 15764, 22316, 14858A, 14858B, and 19304, respectively) of the United States Bureau of Reclamation's Central Valley Project.

The State Water Board exercises continuing supervision over temporary urgency change orders and may modify or revoke temporary urgency change orders at any time. The public will have an opportunity to comment on the TUCP and the Order approving the TUCP, including input on: 1) the urgent need for the proposed change; 2) whether the proposed change may be made without injury to any other lawful user of water; 3) whether the proposed change may be made without unreasonable effect upon fish, wildlife, or other instream beneficial uses; and 4) whether the proposed change is in the public interest. The Board will also seek feedback and suggested modifications to the Order to better protect public interest, health and safety, and beneficial uses of water.

In addition to participating in the workshop, any interested person may file an objection to the TUCP pursuant to California Water Code section 1438, subdivision (d). The deadline for filing an objection and other procedural requirements are set forth in the public notice of the TUCP, which is posted on the State Water Board's website as set forth above. If necessary, the State Water Board will hold an evidentiary hearing on any objections at a later date.

## **2) Other Actions under Consideration Related to Possible Curtailment of Water Rights and Conditions of Hydropower Licenses Associated with the Drought Conditions.**

On January 31, 2014, the State Water Board announced imminent action to curtail some water right holders based on conditions in severely impacted watersheds. On February 6, 2014, the Federal Energy Regulatory Commission announced its intent to work with resource and regulatory agencies and hydropower licensees to amend licenses, as appropriate, to conserve water resources. The public will have an opportunity to comment and provide input to the State Water Board on these Matters.

The February 26 workshop will address the following topics:

### **1) Other Drought-Related Measures**

The Board will also receive public input on State Water Board-related provisions of the Governor's January 17, 2014 drought State of Emergency proclamation described above and other drought-response measures that the Water Board's should undertake. These measures may be related to water conservation, water recycling, funding and other actions to address the effects of current and future drought conditions.

Information on the State Water Board's drought year water actions may be viewed at the Board's drought website:

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

## **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.

**QUESTIONS REGARDING THE WORKSHOP**


Questions concerning this notice may be directed to Jean McCue, Water Resource Control Engineer, at (916) 341-5351 or by email at [Jean.McCue@waterboards.ca.gov](mailto:Jean.McCue@waterboards.ca.gov).

**PARKING, ACCESSIBILITY AND SECURITY**

The Cal/EPA Building is accessible to people with disabilities. Individuals who require special accommodations at the Cal/EPA Building are requested to contact Tanya Cole, Equal Employment Opportunity Office, at (916) 341-5880.

Due to enhanced security precautions at the Cal/EPA 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.

February 11, 2014  
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Date

  
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Jeanine Townsend  
Clerk to the Board