

**03/01/11 BD MEETING – ITEM #10
STAFF CHANGE #1 (CIRCULATED 02/25/11)**

Staff recommends the following changes (shown by **bold-underline** and ~~**bold-strike through**~~ in the text below) to the February 15, 2011 Draft Decision entitled “Decision Conditionally Approving Water Right Applications 30358A and 30358B, Combining Them into Application 30358, and Authorizing Issuance of a Single Permit.”

On pages 1-2, Paragraph 1, of the Draft Decision, beginning with the third sentence, change the paragraph as follows:

Application 30358A was assigned to City of Davis (Davis) and University of California, Davis (UCD) and Application 30358B was assigned to the City of Woodland (Woodland). ~~**On December 14, 2010, Davis, UCD, and Woodland, filed Notices of Assignment, Davis and Woodland filed their notices of assignment on December 14, 2010. (WDCWA-13 & WDCWA-14.) UCD filed its notice of assignment on December 22, 2010. (WDCWA-300.) assigning b**~~ Both Application 30358A and Application 30358B ~~**were assigned to**~~ the Woodland-Davis Clean Water Agency (WDCWA).

On page 2, Section 2, of the Draft Decision, change the third heading in the table as follows:

Projected Section

On page 2, Section 5, of the Draft Decision, change the third heading in the table as follows:

Projected Sections

On page 5, Section 19, of the Draft Decision, change the first sentence as follows:

CSPA’s primary witness, Chris Shutes, references the findings contained in State Water Board **Draft** Decision 1630 and the State Water Board’s August 3, 2010 Delta Flow Criteria Report to support CSPA’s contention that the Delta river system is over-appropriated.

On page 7, Section 24, of the Draft Decision, change the last two sentences of the paragraph as follows:

~~**Neither party presented evidence to support what the maximum annual diversion would be under the Delta flow criteria.**~~ While it is clear that it is not possible for WDCWA to physically divert the full 45,000 af in a 4-month period of time because of the 80.1 cfs average diversion rate limitation, the evidence shows there would be some amount of water available for diversion if the Delta flow criteria were adopted. **The quantity of water that WDCWA actually diverts may, however, be further limited if monthly demand is less than the quantity of water that is available for diversion.**

On page 10, Section 35, of the Draft Decision, change the paragraph as follows:

The CalSim II model was also used to calculate the maximum monthly upstream movement of the X-2 location with the proposed Project. The movement was calculated to be approximately 1.1 km (3,609 ft), ~~and would occur during 10 months over the 73 year period of record. (SWRCB 2, vol. 2, App. B. p. 5-32.) During each of these 10 months, change of only 0.1 km or less would result directly from operation of the proposed project. However,~~The Water Supply EIR concluded that the upstream movement of 1.1 km that would occur from other foreseeable projects would constitute a significant change in X-2 position. Because no mitigation measures are available to avoid this impact, this would therefore result in a cumulatively significant and unavoidable impact to water quality within the Delta (SWRCB 2, p.6-25).

On page 18, Section 70, of the Draft Decision, change the first sentence as follows:

Permittee shall Pprepare and implement a Stormwater Pollution Prevention Plan (SWPPP), acceptable to the Central Valley Regional Water Quality Control Board, for all Project construction activities, including: