

Errata
May 19, 2009 State Water Board Meeting Agenda
Item 5

Hearing Team staff recommend the following changes to the May 13, 2009 Draft Order entitled “In the Matter of Specified License and Permits¹ of the State Water Project and the Central Valley Project”

1. Page 1, the title should be corrected as follows:

In the Matter of Specified License and Permits of the State Water Project and the Central Valley Project

2. Section 4.1, first paragraph, the fourth sentence should be corrected as follows:

Similarly, ~~CSAA~~ CSSA and CSPA alleged that increased pumping would adversely affect fishery resources.

3. Section 4.1, third paragraph, the first sentence should be modified to read:

Maureen Sergent, an expert witness for DWR, testified that the only through-Delta transfers that would be affected by the State Water Board’s approval of the petition are transfers to the Drought Water Bank under the Projects’ water rights.

4. Section 4.2, second paragraph, the fourth sentence should be modified to read:

Because deliveries will not increase, Ms. Sergent and Mr. Milligan testified that drainage will not increase above ~~average~~-historic averages.

5. Section 5.0, fourth paragraph, the last sentence should be modified and a citation added as follows:

Accordingly, in reaching the determination that the petition is exempt from CEQA requirements, we have not relied on any evidence that is not already part of the record, except to recognize the official acts of DWR, CalEPA, and Natural Resources in connection with their CEQA review of the petition, which may be officially noticed. (Cal. Code Regs., tit. 23, § 648.2; Evid. Code, § 452, subd. (c).)

6. Ordering paragraph 5 should be modified to read:

DWR and Reclamation shall operate the SWP and CVP in accordance with the 2008 Delta smelt biological opinion, as may be affected by court order or subsequent biological opinion.

¹ 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, and 15735 (Applications 23, 234, 1465, 5638, 13370, 13371, 5628, 15374, 15375, 15376, 16767, 16768, 17374, 17376, 5626, 9363, 9364, 9366, 9367, 9368, 15764, 22316 and 19304, respectively) of the United States Bureau of Reclamation’s Central Valley Project.