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11 *Attorney for State Water Contractors*

12  
13 BEFORE THE  
14 CALIFORNIA STATE WATER RESOURCES CONTROL BOARD

15  
16 In the Matter of Specified License and Permits  
of the Department of Water Resources and the  
17 U.S. Bureau of Reclamation for the State  
Water Project and Central Valley Project

**NOTICE OF PETITION AND PETITION  
FOR RECONSIDERATION OF ORDER  
APPROVING IN PART AND DENYING  
IN PART A PETITION FOR  
TEMPORARY URGENCY CHANGES TO  
LICENSE AND PERMIT TERMS AND  
CONDITIONS REQUIRING  
COMPLIANCE WITH DELTA WATER  
QUALITY OBJECTIVES IN RESPONSE  
TO DROUGHT CONDITIONS**

1 NOTICE IS HEREBY GIVEN that, pursuant to sections 1122 and 1126 of the California  
2 Water Code and title 23, sections 768 and 769 of the California Code of Regulations, the San Luis &  
3 Delta-Mendota Water Authority (“Water Authority”), acting for and on behalf of its member agencies,  
4 Westlands Water District (“Westlands”), and the State Water Contractors (“SWC”) (together,  
5 “Petitioners”) request that the State Water Resources Control Board (“Water Board”) reconsider and  
6 modify the Order Approving in Part and Denying in Part a Petition for Temporary Urgency Changes  
7 to License and Permit Terms and Conditions Requiring Compliance with Delta Water Quality  
8 Objectives in Response to Drought Conditions, issued by the Water Board Executive Director on  
9 February 3, 2015 (“Order”).

10 The address for the Water Authority is P.O. Box 2157, 842 6th Street, Los Banos, CA 93635.

11 The address for Westlands is 3130 N. Fresno Street, P.O. Box 6056, Fresno, CA 93703-6056.

12 The address for the SWC is 1121 L Street, Suite 1050, Sacramento, CA 95814.

13 Petitioners assert (1) the Order is not supported by substantial evidence, (2) the Order contains  
14 errors in law, and (3) the Order contains an irregularity that should be corrected. As set forth in the  
15 accompanying memorandum, incorporated by reference herein, this Petition requests that the Order be  
16 reconsidered and modified to ensure that all relevant evidence is considered, terms and conditions are  
17 supported by substantial evidence, and that the Order is consistent with the law.

18 This Petition is based on this notice and petition for reconsideration, the memorandum of  
19 points and authorities filed in support thereof, the pleadings and papers on file herein, and upon such  
20 other matters as may be presented to the Water Board.

21 The notice and petition and the supporting memorandum have been served on all interested  
22 parties listed in the attachment to the proof of service.

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Dated: February 27, 2014.

KRONICK, MOSKOVITZ, TIEDEMANN & GIRARD  
A Professional Corporation

By:   
Daniel J. O'Hanlon  
Attorneys for San Luis & Delta-Mendota Water  
Authority and Westlands Water District

Dated: February 27, 2014.

By:  for  
Stefanie D. Morris  
General Counsel  
Attorney for State Water Contractors

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**PROOF OF SERVICE**

**STATE OF CALIFORNIA, COUNTY OF SACRAMENTO**

At the time of service, I was over 18 years of age and not a party to this action. I am employed in the County of Sacramento, State of California. My business address is 400 Capitol Mall, 27th Floor, Sacramento, CA 95814.

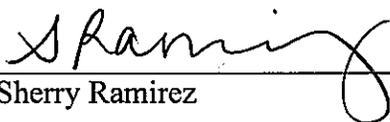
On February 27, 2015, I served true copies of the following document(s) described as **NOTICE OF PETITION AND PETITION FOR RECONSIDERATION OF ORDER APPROVING IN PART AND DENYING IN PART A PETITION FOR TEMPORARY URGENCY CHANGES IN LICENSE AND PERMIT TERMS AND CONDITIONS REQUIRING COMPLIANCE WITH DELTA WATER QUALITY OBJECTIVES IN RESPONSE TO DROUGHT CONDITIONS** on the interested parties in this action as follows:

**SEE ATTACHED SERVICE LIST**

**BY E-MAIL OR ELECTRONIC TRANSMISSION:** I caused a copy of the document(s) to be sent from e-mail address [twhitman@kmtg.com](mailto:twhitman@kmtg.com) to the persons at the e-mail addresses listed in the Service List. The document(s) were transmitted at or before 5:00 p.m. I did not receive, within a reasonable time after the transmission, any electronic message or other indication that the transmission was unsuccessful.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on February 27, 2015, at Sacramento, California.

  
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Sherry Ramirez

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**SERVICE LIST**

**In the Matter of Specified License and Permits of the Department of Water Resources and  
U.S. Bureau of Reclamation for the State Water Project and Central Valley Project**

State Water Resources Control Board  
c/o Rich Satkowski  
P.O. Box 2000  
Sacramento, CA 95812-2000  
Rich.Satkowski@waterboards.ca.gov

Department of Water Resources  
c/o James Mizell  
P.O. Box 942836  
Sacramento, CA 94236-0001  
James.Mizell@water.ca.gov

Regional Solicitor's Office  
c/o Amy Aufdemberge  
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Sacramento, CA 95825  
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13 BEFORE THE  
14 CALIFORNIA STATE WATER RESOURCES CONTROL BOARD

15 In the Matter of Specified License and Permits  
16 of the Department of Water Resources and the  
U.S. Bureau of Reclamation for the State  
17 Water Project and Central Valley Project

**MEMORANDUM OF POINTS AND  
AUTHORITIES IN SUPPORT OF  
PETITION FOR RECONSIDERATION  
OF ORDER APPROVING IN PART AND  
DENYING IN PART A PETITION FOR  
TEMPORARY URGENCY CHANGES TO  
LICENSE AND PERMIT TERMS AND  
CONDITIONS REQUIRING  
COMPLIANCE WITH DELTA WATER  
QUALITY OBJECTIVES IN RESPONSE  
TO DROUGHT CONDITIONS**

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22 I.

23 **INTRODUCTION**

24 The San Luis & Delta-Mendota Water Authority ("Water Authority"), acting for and on behalf  
25 of its member agencies, Westlands Water District ("Westlands"), and the State Water Contractors  
26 ("SWC") (together, "Petitioners") submit the following Memorandum of Points and Authorities in  
27 Support of Petition for Reconsideration of Order Approving in Part and Denying in Part a Petition for  
28 Temporary Urgency Changes in License and Permit Terms and Conditions Requiring Compliance

1 with Delta Water Quality Objectives in Response to Drought Conditions (“Order”). Petitioners  
2 request the Water Board reconsider the Order during its March 17, 2015 meeting or the first available  
3 date thereafter.

4         The Executive Director’s Order reversed the policy decisions made by the United States  
5 Bureau of Reclamation (“Reclamation”) and the California Department of Water Resources (“DWR”)  
6 and supported by the United States Fish and Wildlife Service (“FWS”), National Marine Fisheries  
7 Service (“NMFS”), and California Department of Fish and Wildlife (“DFW”). The State Water  
8 Resources Control Board (“Water Board”) should reconsider and modify the Order for three reasons.  
9 First, the Order’s denial of an intermediate pumping rate of 3,500 cfs is not supported by substantial  
10 evidence and is an error in law. Second, because the Order contains Condition 1.e. which makes  
11 unclear the application of the Order’s export limitations to transfers of CVP or State Water Project  
12 (“SWP”) water, or, in the alternative, applies the export limitations to those transfers, the Order  
13 contains an irregularity, is not supported by substantial evidence, is an error in law, and is not in the  
14 public interest. Third, Condition 3, which purports to vest with the Executive Director or his  
15 representative the authority allocate SWP or CVP water, is not supported by substantial evidence and  
16 is an error in law.

17         Petitioners’ bases for this Petition are further explained in the Objections to Order Approving  
18 in Part and Denying in Part a Petition for Temporary Urgency Changes to License and Permit Terms  
19 and Conditions Requiring Compliance with Delta Water Quality Objectives in Response to Drought  
20 Conditions, filed jointly by the Water Authority and the State Water Contractors on February 13, 2015  
21 (“February 13 Letter”) and in the subsequent February 20, 2014 joint letter, as corrected on February  
22 24, 2015, renewing the Water Authority and State Water Contractors’ request that the Water Board  
23 approve the Temporary Urgency Change Petition in full (“February 20 Letter”) (the February 13  
24 Letter and February 20 Letter are collectively referred to herein as the “Objections”). In recognition  
25 of the urgency of the situation, the dire consequences being suffered south of the Delta, and the  
26 interconnection between the Objections and this Petition, Petitioners request the Water Board  
27 reconsider the Order at its March 17, 2015 meeting or the first available date thereafter. (See Wat.  
28 Code, § 1438(e) [requiring the Water Board to give “prompt consideration” to any objection].)

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II.

**STATEMENT OF FACTS**

On January 23, 2015, DWR and Reclamation jointly filed a Temporary Urgency Change Petition (“TUCP”) pursuant to Water Code section 1435 et seq., to temporarily modify requirements in their water right permits and license for the SWP and CVP. On January 27, 2015, the Water Board issued a Notice regarding the TUCP (“Notice”). The Notice stated that objections and comments regarding the TUCP must be received by the Water Board no later than 12 noon, on February 13, 2015. Subsequently, on February 3, 2015, the Executive Director of the Water Board, acting under delegated authority, issued the Order.

III.

**LEGAL STANDARD**

Petitioners petition the Water Board for reconsideration of the Order pursuant to California Water Code sections 1122 and 1126 and sections 768 and 769 to title 23 of the California Code of Regulations. “The board may order a reconsideration of all or part of a decision or order . . . on the filing of a petition of any interested person or entity.” (Wat. Code, § 1122.) This petition is based upon the following three legal grounds: (1) “[t]he decision or order is not supported by substantial evidence;” (2) “[e]rror in law;” and (3) “[i]rregularity in the . . . ruling.” (23 C.C.R. § 768(b), (d), (a).)

IV.

**DISCUSSION**

**A. The Water Board Should Reconsider and Modify the Order**

This Petition for Reconsideration is limited to the Order’s denial of the intermediate level of pumping during February and March when footnote 10 of Table 3 of D-1641 is not being met, the condition exempting conveyance of transfer water from the Order’s pumping limitation, and the condition that purports to vest with the Executive Director or his representative authority to control the SWP and CVP.

**B. The Order’s Denial of an Intermediate Pumping Rate is Not Supported by Substantial Evidence and is an Error in Law**

In the TUCP, Reclamation and DWR requested that “[w]hen footnote 10 of Table 3 of D-1641

1 is not being met, but NDOI is greater than 5,500 cfs and the DCC Gates are closed, the combined  
2 maximum SWP and CVP export rate for SWP and CVP contractors at the Clifton Court Forebay  
3 Intake and C.W. "Bill" Jones Pumping Plant would be no greater than 3,500 cfs on a 3-day running  
4 average." (See Order at p. 8.) In the Order, the Executive Director denies "the requested interim  
5 export level of 3,500 cfs when NDOI is at least 5,500 cfs." (Order at p. 14.) The denial of the  
6 requested intermediate pumping rate is not supported by substantial evidence, is an error in law, and is  
7 not in the public interest.

8         The denial of the requested intermediate pumping rate is not based on concerns with the ability  
9 to protect against high temperatures in the Sacramento River or any of its tributaries. Intermediate  
10 pumping would not/will not have an adverse effect on the cold water pool in upstream reservoirs.  
11 (See TUCP at pp. 3, 5 [intermediate pumping would utilize water from natural and abandoned flows  
12 made up of flows from precipitation and runoff events].) Instead, the denial of the intermediate  
13 pumping rate is largely based on a perceived, heightened risk of species entrainment that is not  
14 supported by the facts. The Order contains the following statement:

15                 With respect to export limits, as stated in the TUCP and discussed  
16 above, unlike Water Year 2014, winter-run Chinook salmon and delta  
17 smelt are currently at an elevated risk of entrainment impacts due to  
18 their spatial distribution, abundance, and productivity, as well as  
19 predicted storm events later in the week. Spring-run Chinook and  
20 steelhead are also predicted to have an increased risk of entrainment in  
21 the south Delta as their migration increases through February and  
22 March. Given this heightened concern, this Order does not approve the  
23 requested interim pumping level of 3,500 cfs when NDOI is at least  
24 5,500 cfs.

25 (Order at pp. 18-19.) The explanation does not discuss the potential effects of entrainment on  
26 subsequent year abundance – whether entrainment will have population level effects. Further, as  
27 explained in the Objections, the evidence does not support a conclusion that pumping at 3,500 cfs as  
28 opposed to 1,500 cfs, under the specified conditions, would cause an increase in entrainment and thus  
have unreasonable impacts on fish and wildlife:

- With respect to Delta Smelt, the Order incorrectly describes an elevated risk of entrainment and then uses it as a basis for denying the intermediate 3,500 cfs level of pumping; the evidence demonstrates that the Delta Smelt population is currently in the western Delta, and turbidity levels in the Delta have dropped, thereby reducing entrainment risk. (See February 13 Letter at pp. 9-16; compare Order at p. 9.)

- 1 • With respect to Longfin Smelt, although the Order identifies an entrainment risk as a basis  
2 for denying the intermediate 3,500 cfs level of pumping, the conclusion is not supported  
3 by substantial evidence; the risk of entrainment of Longfin Smelt is very low given their  
4 current distribution and there have been no observed Longfin Smelt at the pumping  
5 facilities this season. (See February 13 Letter at pp. 19-22; compare Order at p. 10.)
- 6 • With respect to Chinook salmon, the Order cites an entrainment risk as a basis for denying  
7 the intermediate 3,500 cfs level of pumping, but again, the existence of such a risk is  
8 unsupported by the substantial evidence. The National Marine Fisheries Service  
9 biological opinion will continue to manage entrainment at the project facilities, and the  
10 evidence demonstrates that take of salmonids this year represents insignificant amounts of  
11 the total population levels – less than 1% for each species. (See February 13 Letter at pp.  
12 22-24; compare Order at pp. 11-13.)

13 The updated information provided in the February 20 Letter supports these statements. As explained  
14 in the February 20 Letter, after the February 4, 2015 storm, there was some movement by the Delta  
15 Smelt to the early monitoring stations, locations approximately 15-20 miles from the CVP and SWP  
16 pumping facilities. (February 20 Letter at p. 2.)

17 In the week since the February 20 Letter, one Delta Smelt was salvaged, and turbidity has  
18 increased. However, the presence of Delta Smelt 20 miles from the pumping facilities and the salvage  
19 of a single fish are not cause for concern. Current conditions do not suggest a heightened risk of  
20 entrainment. In sum, there is no evidence that the small increment of additional pumping that would  
21 occur if intermediate pumping were approved under the specific conditions would increase  
22 entrainment at the CVP and SWP pumping facilities in the south Delta.

23 In addition, substantial evidence does not support a conclusion that the requested changes,  
24 including the intermediate pumping level, are contrary to the public interest. The Order provides in  
25 relevant part:

26 The temporary modifications authorized in this Order will make the  
27 best use of limited water supplies and are accordingly in the public  
28 interest. ... The proposed changes will help conserve stored water so  
that it can be released throughout 2015 for multiple purposes, including  
municipal and agricultural supply, wildlife refuge supplies,  
temperature control on the Sacramento River, and salinity control in  
the Delta. The changes in this Order balance the various uses of water  
now and in the future while preserving water right priorities and  
protecting the public interest. The Order also continues reporting,  
consulting, and monitoring requirements and authority to modify the  
Order to ensure that it remains in the public interest.

(Order at p. 19.) The Order does not include any meaningful consideration of the population level  
effects of intermediate pumping. And, as explained in the Objections, important changes in species

1 distribution mean that Delta Smelt, Longfin Smelt, and each of the Chinook salmon runs are not  
2 within an area that presents a high risk of entrainment by the CVP and SWP facilities in the south  
3 Delta. (See, e.g., February 20 Letter at p. 2.) Further, the denial of the intermediate pumping level  
4 will not “help conserve stored water” (Order at p. 19), as the water that would be pumped under the  
5 intermediate pumping level would be comprised of accretions from below the dams, and not cold  
6 water storage. There is no evidence to support a conclusion that denying pumping at 3,500 cfs but  
7 allowing it at 1,500 cfs is in the public interest.

8 In fact, substantial evidence weighs the public interest heavily in favor of an intermediate  
9 pumping level. First, denying the intermediate pumping rate is not in the public interest because it  
10 would not promote using water resources “‘to the fullest extent . . . capable’ (§ 100) with development  
11 undertaken ‘for the greatest public benefit’ (§ 105).” (*United States v. State Water Res. Control Bd.*  
12 (1986) 182 Cal.App.3d 82, 103.) The public interest is broader than what is necessary to avoid  
13 uncertain and unsubstantiated risk to fish and wildlife. For example, it is in the public interest to  
14 address the many negative impacts from shortage, like impacts from increased groundwater pumping  
15 (e.g. land subsidence, groundwater overdraft, increased energy usage, and negative water quality  
16 impacts), irretrievable resource losses, air pollution, economic impacts, and sociological impacts.  
17 (See *Consol. Smelt Cases* (E.D. Cal. 2011) 812 F. Supp. 2d 1133, 1187; *Consol. Salmonid Cases*  
18 (E.D. Cal. 2010) 713 F. Supp. 2d 1116, 1151 [describing negative impacts from water shortage].) By  
19 denying an intermediate pumping rate, the Order precludes action in the public interest, and therefore  
20 includes an error in law.

21 Second, denying the intermediate pumping rate is not in the public interest because substantial  
22 evidence proves that adverse impacts to agricultural and urban communities will *worsen* if more water  
23 is not made available south of the Delta. (See February 13 Letter at pp. 3-8 [identifying impacts  
24 including direct losses to agriculture, harm to the farm economy, increased unemployment and  
25 poverty levels, environmental injury associated with increased use of groundwater, increased  
26 uncertainty for urban water supply outlooks, increased water quality concerns, etc.].) During the  
27 February 18, 2015 Workshop numerous speakers presented evidence confirming that water shortages  
28 are having adverse environmental and socio-economic impacts, and that these impacts will worsen

1 without additional water available south of the Delta. It is in the public interest to make every  
2 additional acre foot of surface water possible to help alleviate the impacts of water shortage.  
3 Allowing intermediate pumping rates would mitigate the significant and devastating impacts to  
4 agricultural and urban communities, even if only to a small degree.

5 In sum, denying the intermediate pumping rate is not supported by substantial evidence and is  
6 an error in law. The Water Board must therefore reconsider the Executive Director's denial of the  
7 intermediate level of pumping described in the TUCP.

8 **C. Condition 1.e. Reflects an Irregularity in the Order, is Not Supported by Substantial**  
9 **Evidence, and its Inclusion in the Order is an Error in Law**

10 Condition 1.e. of the Order provides:

11 These export limitations do not apply to water transfers under non-  
12 SWP or non-CVP permitted or licensed water rights. Based on  
13 additional information or changed circumstances, the export limits  
14 imposed pursuant to this Order may be modified through the  
15 consultation process described in condition 2, below.

16 (Order at p. 22.) The Water Board should modify Condition 1.e. of the Order because Condition 1.e.  
17 reflects an irregularity in the Order, is not supported by substantial evidence, and its inclusion in the  
18 Order is a legal error, and it is not in the public interest. (23 C.C.R. § 768(a), (b), (d).)

19 There is an irregularity or ambiguity in the Order's language regarding water transfers of CVP  
20 and SWP water, and that irregularity or ambiguity is not in the public interest. The Order recognizes  
21 the importance of transfer supplies. (Order at p. 18 ["Transfer supplies are critically important sources  
22 of supply to south of Delta users during dry conditions when there are low to no contract  
23 allocations."].) However, the Order is unclear regarding whether its pumping restrictions would apply  
24 to transfers involving SWP or CVP water. The 2014 TUCP Order was clear on this point. It provided  
25 explicitly that the pumping restrictions did not apply to transfers of CVP or SWP water (see Jan. 31,  
26 2014 TUCP Order, Condition 1(b)), but the Order addresses transfers under non-SWP and non-CVP  
27 water rights only. (See Order, Condition 1(e).)

28 This change creates an ambiguity that is frustrating transfers, rather than facilitating them, as  
provided by federal and state law and the Governor's Proclamations. Buyers hesitate to enter into  
transfer agreements because of uncertainty whether the Order's pumping limitation applies to transfer

1 willing buyers. (See, e.g., Jan. 17, 2014 Drought Proclamation [directing the Water Board to consider  
2 actions that would “streamline water transfers and exchanges between water users within the areas of  
3 [the SWP and CVP]”].)

4 As explained in the Objections, many of the agencies represented by Petitioners, including  
5 Westlands, are relying on the ability to purchase water from willing sellers to mitigate, to a small  
6 degree, for the adverse impacts of water shortages. If transfers of SWP and CVP water are subject to  
7 the pumping limitations in the Order, it would frustrate transfers for two reasons. First, buyers are  
8 likely to be unwilling to enter into agreements **now** because to do so presents too much of a risk – that  
9 it will assume an obligation to purchase water that cannot be conveyed and put to beneficial use.  
10 Second, and similar to this first point, in the event buyers do enter into transfer agreements, there will  
11 likely be inadequate capacity to move the water to areas in need. Rather than facilitate transfers the  
12 Water Board will have prohibited transfers. The Order therefore frustrates the laws that encourage  
13 water transfers. To avoid that result and to protect the public interest, Condition 1.e. must be revised  
14 to explicitly exempts transfers involving SWP or CVP water from the Order’s pumping limitations.

15 In sum, Condition 1.e. reflects an irregularity in the Order, is not supported by substantial  
16 evidence, is an error in law, and is not in the public interest. The Water Board must therefore modify  
17 Condition 1.e. to clarify that the Order’s pumping restrictions “do not apply to water transfers under  
18 non-SWP or CVP water rights or involving SWP or CVP water.” For the reasons explained above  
19 and previously in the Objections, this amendment is time sensitive.

20 **D. Condition 3 is Not Supported by Substantial Evidence and its Inclusion in the Order is**  
21 **an Error in Law**

22 The Water Board should modify Condition 3 of the Order because Condition 3 is not  
23 supported by substantial evidence and its inclusion in the Order is an error in law. Condition 3  
24 provides:

25 DWR and Reclamation shall calculate and maintain a record of the  
26 amount of water conserved through the changes authorized by this  
27 Order, as well as a record of where that water was conserved, and shall  
28 submit such records on a monthly basis to the State water board and  
fisheries agencies within 20 working days after the first day of the  
following month. The use of such water shall be determined by the  
Executive Director or his representative, taking into consideration  
input from DWR, Reclamation, the fishery agencies, and other

1 interested persons.

2 (Order at p. 23, emphasis added.) The Executive Director recognized the need to remove the  
3 emphasized text at the February 18, 2015 workshop. He indicated that the emphasized text was  
4 inadvertently included in the Order. It should be removed.<sup>1</sup>

5 V.

6 CONCLUSION

7 Based on the foregoing, Petitioners respectfully request the Water Board reconsider and  
8 modify the Executive Director's Order Approving in Part and Denying in Part a Petition for  
9 Temporary Urgency Changes in License and Permit Terms and Conditions Requiring Compliance  
10 with Delta Water Quality Objectives in Response to Drought Conditions.

11  
12 Dated: February 27, 2015.

KRONICK, MOSKOVITZ, TIEDEMANN & GIRARD  
A Professional Corporation

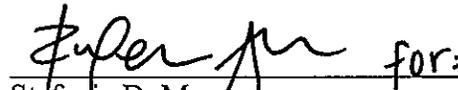
13  
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15 By:



16 Daniel J. O'Hanlon  
17 Attorneys for San Luis & Delta-Mendota Water  
Authority and Westlands Water District

18 Dated: February 27, 2015

19  
20 By:



21 Stefanie D. Morris  
22 General Counsel  
23 Attorney for State Water Contractors

24  
25 <sup>1</sup> In addition, as explained in more detail in the Objections, the emphasized text must be removed  
26 because it is not supported by substantial evidence and is an error in law. The Order does not support  
27 that condition with discussion or citation to any policy or legal basis. Further, DWR and Reclamation  
28 are the entities authorized to operate the SWP and CVP, respectively. That authorization is provided  
through numerous laws, regulations, and contractual obligations. Neither Congress nor the California  
Legislature authorized the Executive Director to assume those authorities vested with DWR and  
Reclamation.

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**PROOF OF SERVICE**

**STATE OF CALIFORNIA, COUNTY OF SACRAMENTO**

At the time of service, I was over 18 years of age and not a party to this action. I am employed in the County of Sacramento, State of California. My business address is 400 Capitol Mall, 27th Floor, Sacramento, CA 95814.

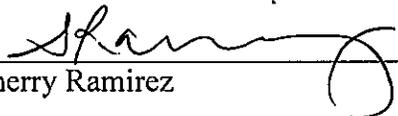
On February 27, 2015, I served true copies of the following document(s) described as **MEMORANDUM OF POINTS AND AUTHORITIES IN SUPPORT OF PETITION FOR RECONSIDERATION OF ORDER APPROVING IN PART AND DENYING IN PART A PETITION FOR TEMPORARY URGENCY CHANGES IN LICENSE AND PERMIT TERMS AND CONDITIONS REQUIRING COMPLIANCE WITH DELTA WATER QUALITY OBJECTIVES IN RESPONSE TO DROUGHT CONDITIONS** on the interested parties in this action as follows:

**SEE ATTACHED SERVICE LIST**

**BY E-MAIL OR ELECTRONIC TRANSMISSION:** I caused a copy of the document(s) to be sent from e-mail address [twhitman@kmtg.com](mailto:twhitman@kmtg.com) to the persons at the e-mail addresses listed in the Service List. The document(s) were transmitted at or before 5:00 p.m. I did not receive, within a reasonable time after the transmission, any electronic message or other indication that the transmission was unsuccessful.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on February 27, 2015, at Sacramento, California.

  
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Sherry Ramirez

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**SERVICE LIST**

**In the Matter of Specified License and Permits of the Department of Water Resources and  
U.S. Bureau of Reclamation for the State Water Project and Central Valley Project**

State Water Resources Control Board  
c/o Rich Satkowski  
P.O. Box 2000  
Sacramento, CA 95812-2000  
Rich.Satkowski@waterboards.ca.gov

Department of Water Resources  
c/o James Mizell  
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