



Media Release

State Water Board Revises Order for State and Federal Water Project Operations During Drought

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SACRAMENTO -- State Water Resources Control Board Executive Director Tom Howard today made several changes to the Temporary Urgency Change Order, first issued on [February 3](#), covering the operations of the State Water Project (SWP) and the federal Central Valley Project (CVP) in light of the continuing, severe drought.

A [January 23 Temporary Urgency Change Petition](#) (Petition) from the Department of Water Resources (DWR) and the U.S. Bureau of Reclamation (USBR) asked for several changes in their water right permit and license terms to cope with continuing drought conditions. The Executive Director issued a change order on February 3 granting most of the requests. The February 3 order granted flexibility in the operation of the Delta Cross Channel Gates to combat salinity intrusion, reduced Delta outflow requirements to preserve water in storage for use later in the year, and allowed for a base level of exports to meet water supply needs while protecting fish and wildlife uses. Today's revised order provides the CVP and SWP further flexibility to store and move water, especially in response to health and safety needs.

The revised order removes some limitations that were in the original order on water transfers. Specifically, the changes clarify that the limitations on exports from the Sacramento-San Joaquin Delta (Delta) contained in the February 3 order do not apply to transfers of water by SWP contractors or CVP contractors to farmers and urban water users south of the Delta. This change is consistent with the requirements that were established in 2014 that allowed DWR and USBR, operators of the two major water projects, to transfer their contractors' water without that water being counted against the projects' export limits.

Regarding exports, the revised order continues to allow a base level of exports when flow requirements in the Delta are not being met. In their Petition, DWR and USBR also requested the flexibility to pump at an additional intermediate export rate, allowing more water to be exported, resulting in a further reduction in Delta outflows. The revised order approves this intermediate rate under very limited conditions, when flows in the Delta fall below the thresholds established in the February 3 order. Under



this change, the SWP and CVP are authorized to increase exports only if DWR or USBR determines that health and safety needs, as defined in the [Central Valley Project and State Water Project 2015 Drought Contingency Plan](#), require the use of the intermediate rate. If DWR and USBR make this determination, they are to first notify the Executive Director of the State Water Board of their intent to increase exports, by how much, for whose benefit and for what purpose. This change responds to extensive written and oral comment that the Board received on the devastating impacts of the drought on California's communities and ensures that public health and safety remains the top priority.

The Board also heard from many Delta, San Francisco Bay, conservation, and fishing industry voices that opposed increased exports and stressed the importance of maintaining minimal outflows for water quality and fish and wildlife purposes. These interests point to the lengthy scientific proceedings that led to the establishment of the standards that most of the changes in the 2014 and 2015 Temporary Urgency Change Orders have set aside to lessen the drought's impacts on agricultural and urban communities. The revised order concludes that while further reductions in Delta outflow will likely have a negative effect on fish and wildlife, approval of an additional intermediate export rate, that is only available for minimum public health and safety needs, is reasonable when weighed against the human suffering of the drought.

The revised order also concludes that the unconditional approval of the intermediate export rate as requested by the projects is not reasonable. This conclusion takes into account the narrow focus of the State and federal fish agencies' concurrence with the unconditional intermediate export rate proposal on endangered species and not its overall effect on fish and wildlife, as clarified in their February 27 comments. Fish populations in the Delta are now at record low levels and cannot be considered resilient to current conditions. The additional increment of water that would be made available under an unconditional intermediate export rate, while providing some relief to agricultural and urban water users, would not improve water storage conditions. In addition, an increase in exports coupled with a further reduction in Delta outflows would cause even greater impacts to a variety of fish species in the Delta, which are already severely stressed by the drought and are likely to be adversely affected by the reduction in Delta outflows that has already been approved. For these reasons, today's revision to provide the CVP and SWP with the flexibility to ensure that public health and safety needs are met only authorizes increased exports when absolutely necessary.

Today's revised order follows a [State Water Board workshop held February 18](#) to review the February 3 order. The revisions:

- Clarify that water saved in reservoirs as a result of the temporary urgency change orders will be used consistent with the Drought Contingency Plan and Temperature Management Plans for Delta operations, and are not subject to Executive Director discretion;
- Clarify that export limitations do not apply to transfers within and between the state and federal water projects; and
- Allow increased exports to meet public health and safety needs if documented.

The State Water Board recognizes the cost and suffering the ongoing drought is causing to farmers, communities and the environment. Hundreds of thousands of acres of farmland have been fallowed; tens of thousands of farm jobs lost; some communities have had to resort to bottled water, portable showers, drilling new wells and running new pipes when their faucets ran dry; and fish and wildlife have suffered dramatic declines.

Fish and wildlife have also suffered greatly. Fish populations in the Delta estuary are at record low levels. Last year, loss of temperature control due to low water levels resulted in the loss of 95 percent of the winter run Chinook Salmon below Shasta Dam and upstream of the Delta.

In addition to protecting the commercial and recreational fishing industries, maintaining a minimum Delta outflow is critical to keeping salinity levels from ruining Delta farming operations and urban drinking water supplies. The minimum Delta outflow approved in this Order is the bare minimum needed to protect these water supplies.

The temporary urgency change orders approved by the Executive Director seek to find a balance between these competing needs in the face of historic dry conditions. Unfortunately, the drought has left California with no good options, only hard choices. This order makes further revisions to operations that benefit water supply while still maintaining minimal fish and wildlife protections.

A number of objections and petitions have been filed against the February 3 order. The State Water Board members will consider an order addressing those objections and petitions in the next three months. In addition, it is likely that DWR and USBR will ask for additional flexibility in the coming months.

[Information on this and other State Water Board drought year water actions.](#)

Visit SaveOurWater.com to find out how everyone can do their part, and visit Drought.CA.Gov to learn more about how California is dealing with the effects of the drought.

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