

State Water Resources Control Board

NOTICE OF REQUEST FILED BY THE CALIFORNIA DEPARTMENT OF WATER RESOURCES AND THE UNITED STATES BUREAU OF RECLAMATION TO MODIFY AND RENEW A TEMPORARY URGENCY CHANGE ORDER REGARDING PERMITS AND LICENSE¹ OF THE STATE WATER PROJECT AND THE CENTRAL VALLEY PROJECT

The Department of Water Resources (DWR) and the United States Bureau of Reclamation (Reclamation) (collectively referred to as the Petitioners) filed a Temporary Urgency Change Petition (TUCP) with the State Water Resources Control Board (State Water Board or Board), Division of Water Rights on January 23, 2015, pursuant to California Water Code section 1435 et seq. in order to address critically dry conditions associated with California's drought. The TUCP requested that the State Water Board temporarily change the Petitioners' permit and license terms for the Central Valley Project (CVP) and State Water Project (SWP) (collectively the CVP and SWP are also referred to as the Projects). Specifically, the TUCP requested temporary changes to conditions imposed pursuant to State Water Board Revised² Decision 1641 that requires the Petitioners to meet specified flow and water quality objectives established in the Water Quality Control Plan for the San Francisco Bay/Sacramento-San Joaquin Delta (Bay-Delta) Estuary. The TUCP requested the changes for a period of 180 days.

On February 3, 2015, the State Water Board's Executive Director issued an Order approving in part, and denying in part, the January 23 TUCP (Order). The Executive Director indicated that modifications to the Order may be made based on public input or changed circumstances. As a result of changed circumstances and subsequent requests from the Petitioners, the Executive Director modified the Order on March 5 and April 6, to extend and modify the conditions of the Order. On May 21, 2015, the Petitioners submitted a request to the State Water Board to modify and renew the Order pursuant to Water Code section 1441, which allows for temporary change orders to be renewed for up to 180 additional days. The May 21 request replaces a request made on March 24, 2015 for the July 1 through November 30 period that was not yet acted on.

The Petitioners did not resubmit information contained in their original January 23, 2015 TUCP as permitted by Water Code section 1441. This notice, the Petitioners' original TUCP, the

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, 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.

² State Water Board Decision 1641 was revised March 15, 2000, in accordance with [Order WR 2000-02](#).

Petitioners' subsequent requests to modify the TUCP, the Executive Director's February 3, 2015 Order, subsequent modifications to that Order, and related project information may be viewed at: http://www.waterboards.ca.gov/waterrights/water_issues/programs/drought/tucp.shtml.

The May 21 request seeks modifications to D-1641 that, if approved, will: (1) change the minimum Net Delta Outflow Index (NDOI) to a monthly average of 3,000 cfs for July, with a seven-day running average of no less than 2,000 cfs; (2) change the minimum Sacramento River Flow requirements at Rio Vista for the months of September, October, and November to a monthly average of no less than 2,500 cfs on average, with a seven-day running average of no less than 2,000 cfs; and (3) extend the change of the Western Delta agricultural salinity requirement at Emmaton to a compliance location at Threemile Slough on the Sacramento River through August 15. According to the Petitioners, these changes would allow management of reservoir releases on a pattern that conserves upstream storage for fish and wildlife protection and Delta salinity control while providing critical water supply needs. Any renewed or modified Order taking action on the TUCP will be posted on the State Water Board website. For email notification of an Order taking action on the TUCP, and any other related project information, interested persons or entities should subscribe to the State Water Boards Drought Updates email subscription list (appears in the "Water Rights Topics" section) at: http://www.waterboards.ca.gov/resources/email_subscriptions/swrcb_subscribe.shtml#dwr.

Pursuant to California Water Code section 1438(d), any interested person or entity may file an objection to the temporary, urgency changes requested. Water Code section 1438 describes the procedure for addressing an objection. In order to be fully considered before the State Water Board takes action on the TUCP, **objections filed in response to this notice should be submitted by June 17, 2015. Objections submitted after that date will be accepted, but should be received by the State Water Board no later than Monday, July 6, 2015.** The Board will give prompt consideration to any objections, and may modify the TUCP order based on any objections received after the order is issued. Copies of objections should be provided to Petitioners when they are submitted to the Board. Please file objections using the petition protest form, which can be downloaded at: http://www.waterboards.ca.gov/waterrights/publications_forms/forms/docs/pet_protest.pdf.

Send objections or correspondence to the following: 1) State Water Resources Control Board, c/o Rich Satkowski (Rich.Satkowski@waterboards.ca.gov) or Chris Carr (Chris.Carr@Waterboards.ca.gov), P.O. Box 2000 Sacramento, CA 95812-2000; 2) Department of Water Resources, c/o James Mizell, P.O. Box 942836, Sacramento, CA 94236-0001 or via email at James.Mizell@water.ca.gov; 3) Regional Solicitor's Office, c/o Amy Aufdemberge, 2800 Cottage Way, Rm. E-1712, Sacramento, CA 95825 or via email at Amy.Aufdemberge@sol.doi.gov; and 4) U.S. Bureau of Reclamation, Paul Fujitani, 3310 El Camino Ave., Rm. 300, Sacramento, CA 95821, or via email at pfujitani@usbr.gov.

Questions concerning this notice may be directed to Rich Satkowski at (916) 341-5439 or Rich.Satkowski@waterboards.ca.gov, or to Chris Carr at (916) 341-5305 or Chris.Carr@waterboards.ca.gov.

DATE OF NOTICE: JUNE 8, 2015