
State Water Resources Control Board

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

On February 13, 2023, the Department of Water Resources (DWR) and the United States Bureau of Reclamation (Reclamation) (collectively Petitioners) jointly filed a Temporary Urgency Change Petition (TUCP) with the State Water Resources Control Board (State Water Board) pursuant to California Water Code section 1435 et seq. The TUCP requests that the State Water Board temporarily modify conditions included in the water right permits and license for the State Water Project (SWP) and Central Valley Project (CVP) (collectively Projects) that were imposed pursuant to [Revised Water Right Decision 1641 \(D-1641\)](#) and that require the Projects to meet flow and water quality objectives established in the Water Quality Control Plan for the San Francisco Bay-Sacramento/San Joaquin Delta Watershed (Bay-Delta Plan). Specifically, during February and March, 2023, DWR and Reclamation request to waive the Delta outflow requirements listed for Port Chicago in Table 4 of D-1641, which require achieving a specified number of days of compliance with a maximum daily average or 14-day running average electrical conductivity of 2.64 mmhos/cm at Port Chicago (Station C14), or a 3-day running average Net Delta Outflow Index of 29,200 cubic-feet per second. The required number of days of compliance is determined by the prior month's Eight River Index. All other electrical conductivity requirements in Table 4, including Chipps Island days, would continue to apply. The TUCP is posted at: <https://www.waterboards.ca.gov/drought/tucp/>.

Pursuant to California Water Code section 1438, subdivision (d), any interested person or entity may file an objection to a TUCP. Water Code section 1438 describes the procedures for addressing an objection. **Any objections filed in response to this notice should be submitted to the State Water Board with copy provided to the Petitioners no later than 12 noon on February 23, 2023.** The State Water Board may act on the TUCP prior to receipt of any objections. The Board will give prompt consideration to any objections received and may modify any order approving the TUCP as appropriate. Objections should be filed using the petition protest form, which can be

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 (Application 23) and Permits 11315, 11316, 11885, 11886, 11887, 11967, 11968, 11969, 11970, 11971, 11972, 11973, 12364, 12721, 12722, 12723, 12725, 12726, 12727, 12860, 15735, 16597, 16600, and 20245 (Applications 13370, 13371, 234, 1465, 5638, 5628, 15374, 15375, 15376, 16767, 16768, 17374, 17376, 5626, 9363, 9364, 9366, 9367, 9368, 15764, 22316, 14858A, 19304, and 14858B, respectively) of the United States Bureau of Reclamation's Central Valley Project.

E. JOAQUIN ESQUIVEL, CHAIR | EILEEN SOBECK, EXECUTIVE DIRECTOR

downloaded at:

http://www.waterboards.ca.gov/waterrights/publications_forms/forms/docs/pet_protest.pdf.

Please send objections and correspondence via email to the State Water Board at Bay-Delta@waterboards.ca.gov, with copies to James Mizell with the Department of Water Resources at James.Mizell@water.ca.gov; and Amy Aufdemberge with the U.S. Bureau of Reclamation Regional Solicitor's Office at Amy.Aufdemberge@sol.doi.gov.

Information related to this TUCP may be viewed at:

http://www.waterboards.ca.gov/waterrights/water_issues/programs/drought/tucp.shtml.

Questions concerning this notice may be directed to Bay-Delta@waterboards.ca.gov or Craig Williams at Craig.Williams@waterboards.ca.gov.

To receive additional information related to this and future TUCPs, interested persons or entities should subscribe to the State Water Board's Drought Updates and Bay-Delta email subscription lists (appears in the "Water Rights" section) at:

http://www.waterboards.ca.gov/resources/email_subscriptions/swrcb_subscribe.shtml#dwr.

DATE OF NOTICE: FEBRUARY 13, 2023