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GOVERNOR



JARED BLUMENFELD
SECRETARY FOR
ENVIRONMENTAL PROTECTION

State Water Resources Control Board

March 27, 2019

VIA ELECTRONIC AND U.S. MAIL

To: [CURRENT SERVICE LIST](#)

REVISED DRAFT ORDER AMENDING PERMITS 11308 AND 11310 - IN THE MATTER OF PERMITS 11308 AND 11310 (APPLICATIONS 11331 AND 11332) HELD BY THE UNITED STATES BUREAU OF RECLAMATION FOR THE CACHUMA PROJECT ON THE SANTA YNEZ RIVER IN SANTA BARBARA COUNTY

This letter is to advise you that a revised draft order (Attachment A) amending the terms and conditions of the U.S. Bureau of Reclamation's (Reclamation) water right permits for the Cachuma Project (Permits 11308 and 11310 (Applications 11331 and 11332)) has been posted on the State Water Resources Control Board's (State Water Board) website at http://www.waterboards.ca.gov/waterrights/water_issues/programs/hearings/cachuma/.

The revised draft order was developed following release of a previous draft order for public comment on September 7, 2016. Both draft orders were developed based on a State Water Board public hearing to determine: 1) what if any conditions are necessary to protect public trust resources and downstream water rights on the Santa Ynez River below Bradbury Dam; and 2) whether to approve a petition from Reclamation to change the authorized place of use and purposes of use of water for Permits 11308 and 11310. The revised draft order includes modifications to the draft order based on public comments as well as other modifications.

To assist with review of the revised draft order, included as Attachment B, is a track changes version of the substantial changes made to the draft order. There are also a number of non-substantive editorial changes that are not tracked for readability purposes.

Attachment C is an update to the State Water Board's response to comments on the Environmental Impact Report (EIR) prepared pursuant to the California Environmental Quality Act for this project. The updated response to comment addresses a misunderstanding of the Board's previous responses to comments. The Santa Ynez River Water Conservation District raised the issue in its comment letter responding to the 2016 draft order.

In addition to the above, included as Attachment D, are two alternatives for a condition for possible inclusion in the order that would provide an off-ramp to the wet and above normal year fisheries flows included in Table 2 in order to allow for refill of Cachuma reservoir following drought conditions (drought off-ramp). The State Water Board is evaluating whether to include one of these conditions in the order they consider adopting on this project. The Santa Ynez River Water Conservation District, Improvement District No. 1 party requested inclusion of a drought off-ramp condition that would apply more frequently than the alternatives identified in Attachment D but would also significantly diminish the occurrence of the Table 2 fisheries flows.

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

Given that the Table 2 flows already only apply in wet and above normal years, the degraded condition of fishery resources on the Santa Ynez River, and the fact that alternate supplies are available for water users of Cachuma Reservoir, off-ramps are not proposed in the revised draft order. Absent a specific drought off-ramp condition, water users may still request a temporary modification of the Table 2 flow requirements (or other conditions) if there is an urgent need for a change by submitting a temporary urgency change petition to the State Water Board.

The State Water Board will consider adoption of the revised draft order tentatively scheduled for the June 4, 2019 Board meeting. A public notice of the meeting will be issued at least ten days in advance. All interested persons and parties to the proceeding will have the opportunity to comment on the revised draft order and possible drought off-ramp conditions at the Board meeting. Comments should be limited to the general acceptability of the order or possible technical corrections. Parties may not introduce evidence at the Board meeting.

Interested persons and parties may submit written comments **on the changes in the revised draft order and the possible drought off-ramp conditions included in Attachment D**. Written comments must be **received** by the State Water Board by **12 Noon on April 29, 2019**.

Written comments are to be addressed and submitted to:

Jeanine Townsend
Clerk to the Board
State Water Resources Control Board
PO Box 100
Sacramento, CA 95812-0100

You may also submit your comments to Ms. Townsend by fax at (916) 341-5620, by email at commentletters@waterboards.ca.gov, or by hand delivery to the following location:

Jeanine Townsend, Clerk to the Board
Executive Office
State Water Resources Control Board
Cal/EPA Headquarters
1001 "I" Street, 24th Floor
Sacramento, CA 95814

Couriers delivering comments must check in with lobby security and have them contact the Executive Office on the 24th floor at (916) 341-5600.

Please include the subject line, "**COMMENT LETTER –Cachuma Project Revised Draft Order.**" Any faxed or emailed items must be followed by a mailed or delivered hard copy with an original signature.

Written comments must be served on the [Service List of Parties to Exchange Information](#) in this proceeding as indicated therein. Comments that do not include proof of service upon the service list will not be reviewed or posted until the State Water Board has notified the parties.

If you have non-controversial procedural questions, please contact Environmental Scientist Jane Farwell-Jensen at (916) 341-5349, or by email to Jane.Farwell-Jensen@waterboards.ca.gov.

Sincerely,

ORIGINAL SIGNED BY

Michael Buckman, Chief
Hearings Unit

Attachments: **Attachment A** – Revised Draft Order
Attachment B – Revised Draft Order with Substantial Changes Shown in Track Changes
Attachment C – Supplemental Response to Comments
Attachment D – Possible Drought Off-Ramp Alternatives