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February 17, 2009

**Directors**

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Walter J. Bishop  
*General Manager*

Arthur G. Baggett, Jr.  
Charles R. Hoppin  
State Water Resources Control Board  
1001 I Street  
Sacramento, CA 95814

**Re: Contra Costa Water District Policy Statement for the February 17, 2009  
public hearing regarding emergency drought conditions**

Dear Board Members Baggett and Hoppin:

This letter constitutes the policy statement of the Contra Costa Water District (CCWD) regarding taking an emergency drought-related water rights action on a petition for temporary urgency change filed by the Department of Water Resources (DWR) and the United States Bureau of Reclamation (Reclamation) regarding temporary relaxation of the February Delta outflow and San Joaquin River flow objectives in response to current dry conditions.

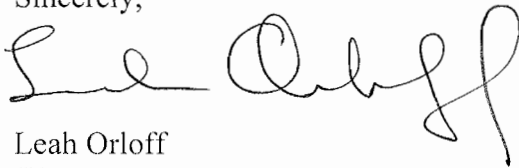
If the State Water Board approves DWR's and Reclamation's petition, CCWD and other in-Delta diverters will be injured. Salinity at CCWD's Delta intakes will be higher than it otherwise would be, and CCWD may have to release additional water from Los Vaqueros Reservoir to blend with its Delta diversions in order to serve palatable water to its customers. CCWD already has a high risk of drawing the reservoir down to emergency storage levels by the end of this year and that risk will increase as a result of the proposed action.

In spite of the injury that it will suffer, CCWD does not oppose the granting of this petition. CCWD recognizes that the extraordinary drought and water supply conditions require action, and that DWR and Reclamation must provide an adequate water supply to millions of Californians down to public health and safety levels, and at the same time find the best way to protect the listed species in the Delta while maintaining adequate storage of cold water in the event that conditions continue to be dry.

In response to the extraordinary drought and water supply conditions, including the additional burden caused by the anticipated relaxation of the February Delta outflow and San Joaquin River flow objectives, CCWD is taking action of its own. CCWD's customers have reduced their water usage in response to CCWD's ongoing conservation program and this year's voluntary rationing program, and CCWD is preparing to impose mandatory rationing if necessary. We are conserving water in Los Vaqueros

Reservoir by temporarily adjusting our delivered water salinity goal, and serving our customers saltier water than usual. We have also requested a waiver of the usual one month period in the spring when we do not divert from the Delta at all for the protection of listed fish species. Because of this year's conditions, CCWD will divert less from the Delta during the sensitive fish period than would normally be expected, even if the requested waiver is granted, so fisheries protection will not be compromised. We hope to receive the waiver shortly, and will then immediately notify the Chief of the Division of Water Rights as required by Water Rights Decision 1629.

Sincerely,

A handwritten signature in black ink, appearing to read "Leah Orloff". The signature is fluid and cursive, with the first name "Leah" written in a larger, more prominent script than the last name "Orloff".

Leah Orloff  
Water Resources Manger

LO:wec

copies to: Ron Milligan, Reclamation  
Nancy Quan, DWR  
Erin Mahaney, SWRCB  
Jean McCue, SWRCB  
Diane Riddle, SWRCB  
Jeanine Townsend, SWRCB