
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 March 18, 2022, 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 was filed in response to critically dry conditions in the San Francisco Bay/Sacramento-San Joaquin Delta (Bay-Delta) watershed and requests that the State Water Board temporarily modify requirements included in the water right permits and license for the State Water Project (SWP) and Central Valley Project (CVP) (collectively Projects). Specifically, the TUCP requests that the State Water Board make the following changes to requirements imposed by Revised Water Right Decision 1641 (D-1641) to meet flow and water quality objectives established in the Bay-Delta Water Quality Control Plan (Bay-Delta Plan) during the April 1 to June 30 timeframe:

- (1) From April 1 – April 30, reduce the minimum Delta outflow requirement as measured by the Net Delta Outflow Index (NDOI) from a minimum of 7,100 cubic-feet per second (cfs) on a 3-day running average to 4,000 cfs on a 14-day running average. For May 1 – June 30, a minimum NDOI of 4,000 cfs on a 14-day running average is requested if the Sacramento River Index for May is greater than 8.1 million acre-feet (MAF) at the 90% exceedance level.
- (2) Move the Western Delta agricultural salinity compliance point on the Sacramento River at Emmaton 2.5-3 miles upstream to Three Mile Slough.
- (3) Limit the maximum export rate to 1,500 cfs when the D-1641 requirements in number 1 above are not being met.
- (4) Reduce the minimum monthly average flow requirement on the San Joaquin River at Airport Way Bridge, Vernalis from 710 – 1140 cfs (April 1 – 14 and May 16 – June 30) and 3,110 – 3,540 cfs (April 15 – May 15) to a minimum monthly average of 710 cfs from April 1 – June 30.

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.

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

To receive additional information related to this and future TUCP requests, 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.

Pursuant to California Water Code section 1438(d), any interested person or entity may file an objection to a TUCP request. 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 April 6, 2022.** The State Water Board may act on the TUCP request 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 downloaded at: http://www.waterboards.ca.gov/waterrights/publications_forms/forms/docs/pet_protest.pdf.

Please send objections and correspondence to the following: (1) Bay-Delta@waterboards.ca.gov, State Water Resources Control Board, c/o Scott Frazier, P.O. Box 2000 Sacramento, CA 95812-2000, or Scott.Frazier@waterboards.ca.gov; (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; and (3) U.S. Bureau of Reclamation 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.

This notice, the TUCP, objections and correspondence received, and related information and correspondence 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 Scott Frazier at Scott.Frazier@waterboards.ca.gov.

DATE OF NOTICE: **MARCH 18, 2022**