
State Water Resources Control Board

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ORIGINAL SIGNED BY:
JULE RIZZARDO, FOR

FROM: Erik Ekdahl, Deputy Director
Division of Water Rights
STATE WATER RESOURCES CONTROL BOARD

DATE: JUL 08 2021

SUBJECT: REQUEST NO. 3 FOR ADDITIONAL EXCHANGE OF WATER
PURSUANT TO DIVISION OF WATER RIGHTS JULY 2020 ORDER APPROVING
CONSOLIDATED PLACE OF USE UNDER SPECIFIED LICENSE AND PERMITS OF
THE STATE WATER PROJECT AND CENTRAL VALLEY PROJECT
(2020 CPOU ORDER)

On July 15, 2020, the State Water Resources Control Board (State Water Board), Division of Water Rights (Division), issued an Order (2020 CPOU Order) approving a petitionⁱ from the Department of Water Resources (DWR) and the U.S. Bureau of Reclamation (Reclamation), collectively Petitioners, requesting temporary changes in the place of use of water rights of the State Water Project (SWP) and Central Valley Project (CVP), collectively the Projects. The 2020 CPOU Order temporarily approved a consolidated place of use for DWR's SWP with Reclamation's CVP allowing for transfer/exchange of up to 400,675 acre-feet (af) of water for projects that were detailed in the original petition.

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Condition 5 of the 2020 CPOU Order provides a process for DWR and Reclamation to request the approval of transfers/exchanges not specifically identified in the petition if the proposed transfer/exchange meets certain criteria as detailed in the 2020 CPOU Order as follows:

1. The transfer or exchange would not result in any increase in the amount of water diverted from the Delta.
2. The water to be exchanged would be part of any available Project allocations, water currently stored in San Luis Reservoir, or previously placed in groundwater storage south of the Delta.
3. The water to be exchanged or transferred would have been consumptively used or stored in the absence of the transfer.
4. The total quantity of water delivered to SWP or CVP contractors as a result of the change will not exceed historic average deliveries.
5. The transfer or exchange will not result in the net loss of San Joaquin River or Sacramento River flow.
6. The transfer or exchange will not result in an increase in saline drainage to the San Joaquin River.

On June 22, 2021, Petitioners submitted a request to the Division pursuant to Condition 5 of the 2020 CPOU Order to approve an additional water exchange as follows:

Reclamation's Exchange of Stored SWP Water in San Luis Reservoir

The June 22, 2021 request states that “due to continued extreme drought conditions; actions taken to protect delta smelt and longfin smelt; Central Valley steelhead, and Chinook salmon; and operational requirements for the CVP, Reclamation will likely need the assistance of DWR to coordinate available water supplies in San Luis Reservoir this summer and fall.” In accordance with the San Luis Supplemental Agreement, dated January 12, 1972, Reclamation and DWR may exchange water and power.

Reclamation is requesting a transfer of up to 50,000 af of water stored in San Luis Reservoir by the SWP for delivery in the CVP service area through July 15, 2021. Approval of the additional exchange would amount to a transfer from the SWP to the CVP of 50,000 af of water that would otherwise be consumptively used by the SWP or remain in storage in the absence of the transfer.

The proposed exchange will not change the overall volume of the approved exchange amount (400,675 af) authorized under the 2020 CPOU Order. Section 2.3 of the 2020

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CPOU Order describes an exchange of up to 150,000 af between Arvin-Edison Water Storage District and Metropolitan Water District. That exchange will be reduced to a maximum of 100,000 af to ensure the overall volume approved by the 2020 CPOU Order does not increase.

Compliance with 2020 CPOU Order

Petitioners indicated that the proposed modified exchange meets the criteria identified under Condition 5 of the 2020 CPOU Order as follows:

1. The water proposed for exchange is already in storage downstream of the Delta.
2. The water proposed for the exchange is already stored in San Luis Reservoir. No change in 2021 CVP or SWP allocations will be made, although use of CVP supplies to pay back the SWP may result in reduced CVP allocations in 2022.
3. Absent the exchange, the SWP water would have been stored in July and delivered to SWP contractors in the fall.
4. There will be no increase in allocations to any SWP or CVP contractors as a result of the exchange. Therefore, no exceedance of historic average deliveries would occur.
5. The water that the Projects would exchange is water that is already stored in San Luis Reservoir or allocated. Because no additional export pumping would occur as a result of the exchange, the Sacramento River or San Joaquin River will not experience any losses.
6. There are no potential additional return flows to the San Joaquin River as a result of the exchange because there will be no increased deliveries to CVP contractors, thus no increase in saline drainage would result from the exchange.

Approval of Condition 5 Request

Pursuant to Condition 5 of the 2020 CPOU Order, the transfer of up to 50,000 af as described above is approved. The transfer of an equivalent amount of water from the CVP to the SWP is not approved, as the timing of that component of the exchange would occur after the expiration of the 2020 CPOU Order, which is July 15, 2021. The exchange of up to 150,000 af between Arvin-Edison Water Storage District and Metropolitan Water District described in the 2020 CPOU Order is reduced to 100,000 af.

Per Condition 10 of the 2020 CPOU Order, the Board requires that Petitioners continue to submit an interim report via email on a monthly basis during the transfer period to document transfers and exchanges that have occurred to date, any transfers and

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exchanges that proceeded for less than the full amount requested, and how much remains of the authorized amount of 400,675 af.

If you require further assistance, please contact Patricia Fernandez by email at patricia.fernandez@waterboards.ca.gov.

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ⁱ The petition was filed for Permit 16479 (Application 14443) of the Department of Water Resources' State Water Project and License 1986 and Permits 11885, 11886, 12721, 11967, 11887, 12722, 12723, 12727, 11315, 11316, 11968, 11969, 12860, 11971, 11973 and 12364 (Applications 23, 234, 1465, 5626, 5628, 5638, 9363, 9364, 9368, 13370, 13371, 15374, 15375, 15764, 16767, 17374 and 17376, respectively) of the United States Bureau of Reclamation's Central Valley Project.