

# Term 91 Is Not In Effect

## Current Status (May 10<sup>th</sup>, 2024)

The Delta was in Excess Condition as of May 9<sup>th</sup>, 2024, with -4,439 cubic feet per second (cfs) of Supplemental Project Water (SPW) releases. Diverters should continue to monitor updates to this web posting. Also, notices related to Term 91 are provided by email; to sign up for email notices, visit

[https://www.waterboards.ca.gov/resources/email\\_subscriptions/swrcb\\_subscribe.html](https://www.waterboards.ca.gov/resources/email_subscriptions/swrcb_subscribe.html) and subscribe to the “Term 91 Updates” email list under the “Water Rights” section of the page.

## Explanation

Permit and license holders having Term 91 as a condition of their water right must cease diversions under the permit or license when the State Water Board issues notice that Term 91 curtailments are in effect. Term 91 prohibits diversion under such permits or licenses when (i) the Delta is in “Balanced Condition,” and (ii) the satisfaction of inbasin entitlements including maintenance of Delta water quality and flow requirements require releases of SPW by the Projects. The Delta is referred to as in Balanced Condition when the Projects are being operated to meet water quality and flow requirements in the Delta. Inbasin entitlements include (i) priority rights to divert water from the Delta Watershed for use within the basins of origin, (ii) natural losses (e.g., surface evaporation, consumption by riparian vegetation and contributions to groundwater), and (iii) flows required for maintenance of water quality and the needs of fish and wildlife. SPW is calculated as the net storage releases from Shasta, Folsom, and Oroville reservoirs, plus water imported to the Delta Watershed from the Trinity River CVP facilities, minus the sum of the Projects’ Delta exports and Carriage Water calculated from the Delta Export Index.

The graph shown below plots a [daily calculation of SPW](#) and depicts [Delta conditions](#) (with the previous water year’s daily calculation of SPW plotted as a reference). For permits and licenses with Term 91, diversions may be curtailed pursuant to Term 91 when the plotted value is positive and is expected to remain positive for the near future.



# TERM 91

Not In Effect

- Water Year 2024 Delta Flows Available to Meet Water Quality and Flow Requirements
- Water Year 2023 Flows
- Term 91 Curtailment Suspended Dec 7, 2022

WATER YEAR 2024 (October 1, 2023 through September 30, 2024)

