2021 PETITION FOR TEMPORARY CHANGE TO MODIFY THE AUTHORIZED PLACE OF USE OF CVP NEW MELONES RESERVOIR

U.S. Bureau of Reclamation Permits for the Central Valley Project – New Melones Reservoir

Application Numbers: 14858A

Permit Numbers: 16597

Requested Change

The United States Bureau of Reclamation (Reclamation) requests the State Water Resources Control Board (State Water Board) modify the permits listed above to temporarily change the authorized place of use of New Melones Reservoir to include the Central Valley Project (CVP) authorized place of use downstream of the Jones Pumping Plant (Jones) as shown on the attached map and to add San Luis Reservoir as a point of rediversion.

Reclamation requests that the requested change become effective on September 15, 2021 and remain in effect for one year from the date of any order approving this Petition. Approval of the requested change would give Reclamation additional operational flexibility to maintain Folsom Reservoir levels longer and support public health and safety needs south of the Delta. Approval of this Petition will authorize delivery of New Melones Reservoir releases to critical CVP demands south of the Delta as well as to Westlands Water District to allow water purchased by Westlands to remain in Folsom Reservoir under Reclamation control.

The existing place of use of New Melones Reservoir is Calaveras, Tuolumne, Stanislaus, and San Joaquin counties. Approval of the requested change would add authorized CVP places of use south of the Delta, located within San Joaquin, Stanislaus, Merced, Fresno, Kings, Kern, Tulare, Santa Clara, and San Benito counties (see Map), and add San Luis Reservoir as a point of rediversion. Jones is already an authorized point of rediversion on the permit listed above.

Reason for the Requested Changes

Westlands Water District, which has only a municipal public health and safety allocation, has purchased 20,000 AF of water from the Placer County Water Agency upstream of Folsom Reservoir (Placer water). With approval of this petition, Reclamation will deliver 16,000 AF of New Melones storage releases to Westlands Water District and the Placer water will remain in Folsom Reservoir to support Reservoir levels needed by Folsom Reservoir municipal diverters and contractors while Folsom Reservoir releases continue to support environmental and water quality needs in the Delta, in support of the conditions of the June 1 Temporary Urgency Change Order.

Approval of this petition would also enable Reclamation to provide up to 14,000 AF (minus conveyance loss) to meet existing public health and safety needs of south of Delta municipal CVP contractors, either through increased flexibility, or increased deliveries to areas in extreme hardship.

Reclamation anticipates withdrawal from New Melones will be completed by October 15, 2021.

Following the accounting documentation submitted under the April 19, 2016 Temporary Urgency Change Order, Reclamation calculates that there is 908,645 AF in storage at New Melones under Permit 16597 as of August 11. Reclamation requests approval to use up to 30,000 AF (includes 10% conveyance loss) of this previously stored water to meet critical needs south of the Delta as detailed above. The requested approval will not change CVP allocations for 2021, but it will allow Reclamation to operate New Melones to continue to support Delta water requirements and assist in meeting additional conditions of the June 1 Temporary Urgency Change Order, while also providing additional flexibility to municipal CVP contractors in managing their water supplies to meet critical public health and safety needs.

As of August 1, 2021, CVP allocations are:

South-of-Delta irrigation contractors: 0%

South-of-Delta municipal and industrial contractors: 25% of their historic use

Eastside Division contractors: 100%

CVP Eastside contractors has been given a 100% allocation for 2021 and will not be affected by approval of the proposed request. Reclamation will operate to the 1988 Agreement with Oakdale Irrigation District and South San Joaquin Irrigation District, ensuring these parties will not be impacted.

Absent the approval, a portion of the water stored in New Melones will continue to meet Delta water quality conditions, and other New Melones water right terms and conditions without any additional benefits to other CVP reservoirs or support of critical CVP contractor needs.

General Information

## The Amount of Water to be Exchanged Would Have Been Consumptively Used or Stored in the Absence of the Exchange

The requested change is for use of previously stored water. The portion of this water that is not released to support terms and conditions of Decision 1641 will remain in storage. New Melones operating agreements and CVP contractors will see no change due to the approval of this change.

## Analysis of Potential Changes in Streamflow, Water Quality, Timing of Diversions or Use, Return Flows, or Effects on Legal Users

The water stored in New Melones has been legally diverted in accordance with Permit 16957 and the approval of this request would only change the location of its beneficial use. No water users downstream have a legal right to the releases of water to be consumptively used, as Jones is an existing point of rediversion and a portion of the area served by Jones are located in the New Melones place of use. No water users downstream have a legal right to the releases of water required to meet the terms and conditions of Decision 1641. Reductions in releases from Folsom Reservoir are also not anticipated to negatively impact streamflow or water quality, as the operations will be done in coordination with the Department of Water Resources, state and national fishery agencies, and the State Water Board. Similarly, no legal users have a right to the water Reclamation has legally diverted into Folsom Reservoir under the water rights associated with those reservoirs.

There will be no increase in CVP allocations as a result of the requested approval, although there could be a change in delivery pattern or a small increase in water delivered to meet critical municipal public health and safety needs. The majority of these do not result in return flows to the San Joaquin River or Delta. The requested action includes 3,000 acre-feet that would be lost to the system through conveyance.

## The Exchanges Will Not Result in Unreasonable Impacts to Fish and Wildlife or the Environment

The water to be exchanged was previously diverted out of the watershed from which it originates in conformance with the provisions of Reclamation water rights permits and regulatory restrictions governing those diversions, including those contained in D-1641, the current CVP/SWP Long-term Operations Biological Opinions, and the Incidental Take Permit. All Delta water quality and flow requirements will be met during the implementation of the requested action, and Reclamation anticipates a benefit to Folsom Reservoir storage as a result of this action. The change requested by Reclamation will not result in unreasonable impacts to fish and wildlife or the environment. Reclamation will coordinate with fishery agencies on New Melones operations and is preparing an analysis to ensure there are no adverse effects due to this action.

There will be no change to CVP allocations as a result of the proposed exchanges.