

## CENTRAL DELTA WATER AGENCY

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Jeanine Townsend, Clerk to the Board  
State Water Resources Control Board  
P. O. Box 100  
Sacramento, CA 95812-0100

Re: Dry Year Report Comments

Dear Ms. Townsend:

Thank you for the opportunity to comment. The role of the Board should be more directed toward oversight rather than application of specific curtailments. As controversies are identified, the Board should take the role more of a mediator seeking a solution among the interested parties. Water right priorities are complex and properly require site specific considerations. Each river, stream, watershed and waterbody and the relationship between groundwater and surface water must be considered together with the specific location of the diversion or diversions in question.

For the Delta, the focus on the separate main river systems rather than the Delta as a pool of water from many rivers and streams, groundwater and the bay mixed by the tides grossly and unfairly distorts the consideration of availability of water for diversion.

The assumption that water released from a reservoir is "stored water" ignores the contribution of natural flow both from surface flows into the reservoir as well as groundwater accretions including contribution from submerged springs. Such assumption also ignores the physical solution aspects of storage of natural flow to be offset by later releases which in the case of the Delta are required by statute. All use of natural flow results in some delay of return flow.

Analysis of surface flow without careful consideration of the inter-relationship with groundwater greatly distorts the analysis of the availability of water for diversions.

Transfers of water outside a watershed could greatly distort the analysis of availability of water. Those transfers which are not associated with a specific savings of consumptive use by land fallowing need more careful consideration to assure that the transferred water is not just "paper water". Transfer of surface water with a corresponding continuation of the use of groundwater to serve the same demand could result in a substantial reduction in natural flow by increased losses from the river or stream or reduced accretions.

Compliance with terms and conditions for storage particularly those requiring no interference with senior rights and needs must also be considered.

Making the process of SWP and CVP operational decision making more open would be helpful. Conducting all related conferences with realtime video and telephone conferencing available to the public would facilitate public confidence and input. The CalFed Operations Group meetings, the various meetings with fishery agencies and the weekly operations meetings should be open to telephone and video conferencing at least for observation or listening followed by an opportunity for comment.

The drought crises merits a greater effort directed at cooperative problem solving. The huge shortage in water supply may not go away.

Yours very truly,



DANTE JOHN NOMEILLINI  
Manager and Co-Counsel

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