

**STATE WATER RESOURCES CONTROL BOARD
BOARD MEETING SESSION – DIVISION OF WATER RIGHTS
APRIL 5, 2016**

ITEM 9

SUBJECT

PUBLIC WORKSHOP TO RECEIVE INFORMATION AND SOLICIT PUBLIC INPUT ON THE UNITED STATES BUREAU OF RECLAMATION'S PROPOSED OPERATIONS OF NEW MELONES RESERVOIR FOR THE REMAINDER OF THE YEAR

DISCUSSION

The United States Bureau of Reclamation (Reclamation) is expected to file a Temporary Urgency Change Petition (TUCP) to temporarily modify requirements in its water right permits for the New Melones Project, which is a component of the Central Valley Project. In response to low storage levels in New Melones Reservoir, Reclamation is expected to request modifications to water right conditions requiring implementation of the San Joaquin River flow objectives and the Stanislaus River dissolved oxygen (DO) objective, which were imposed pursuant to State Water Resources Control Board's (State Water Board or Board) Revised Decision 1641 (D-1641) (flows and DO) and State Water Board Decision 1422 (DO only).

D-1641 and D-1422 require Reclamation to meet a DO objective of 7.0 milligrams per liter (mg/L) on the Stanislaus River. Reclamation has indicated that it will propose to meet a DO objective of 5.0 mg/L at Ripon in lieu of the D-1641 and D-1422 requirement this year.

D-1641 requires minimum monthly average flows on the San Joaquin River at Airport Way Bridge, Vernalis from February through June (base flows) and additional pulse flows for 31 days in April and May (on or about April 15 to May 15). For the April-May pulse flow period, the D-1641 Vernalis pulse flow requirement will be either 4,880 cubic-feet per second (cfs) or 5,480 cfs, depending on the April water year type determination expected shortly. Instead of meeting the D-1641 flow requirements, Reclamation has indicated that it will propose that the Stanislaus River flows specified in Appendix 2(E) of the 2009 National Marine Fisheries Service Biological Opinion (an average of 720 cfs) be provided. In addition, Reclamation has requested that Oakdale Irrigation District (OID) and South San Joaquin Irrigation District (SSJID) concur with releasing 75 thousand acre-feet (TAF) of water during the April-May period to supplement Reclamation's releases from storage in New Melones Reservoir to the Stanislaus River. The combined releases are expected to create a total flow on the Stanislaus River during the pulse flow period of approximately 2,000 cfs for 31 days. Reclamation expects these flows combined with releases from the Tuolumne and Merced Rivers and South San Joaquin River accretions to result in a flow rate at Vernalis of between 3,000 to 3,200 cfs. Reclamation has indicated that it will propose that the Vernalis pulse flow requirement be temporarily adjusted to these levels. Reclamation will also propose a base flow requirement of 1,000 cfs from April 1 through April 15 and from May 15 through May 31, and 500 cfs for the month of June. The flow required by D-1641 for this period is likely 2,280 cfs.

Similar changes to flow and DO requirements were proposed and approved in 2014 (flow only) and 2015 due to drought conditions as well as the expiration of the San Joaquin River Agreement (SJRA). The SJRA was a voluntary agreement between various water users in the San Joaquin River basin whereby the signatories agreed to provide flows toward meeting the

Vernalis Adaptive Management Plan (VAMP) pulse flows. The lower VAMP flows were implemented as a study in lieu of the D-1641 flow objectives from 2000 to 2011. Since the expiration of the SJRA in 2011, the D-1641 flow objectives have not been met much of the time.

Following several years of drought and associated reservoir drawdown, storage in New Melones Reservoir is currently over 613 TAF, which is 26 percent of capacity and 41 percent of average. Expected inflows to New Melones Reservoir will be between about 1 and 1.2 million acre-feet (MAF) for the water year (some of which is already in the reservoir). Water entering New Melones Reservoir serves multiple purposes, including meeting flow and water quality requirements, consumptive uses under water rights and contracts, and carryover storage. Reclamation indicates that this year the amount of water in storage is not adequate to satisfy all uses. OID and SSJID claim rights to the first 600 TAF of inflow to New Melones Reservoir. Reclamation proposes to use the remainder to meet flow and water quality requirements and maintain carryover storage in the amount of 415 TAF to 566 TAF, depending on the hydrology for the remainder of the year. In addition to holding a contract with Reclamation, OID and SSJID hold their own substantial water rights for diversions on the Stanislaus River. Of the inflow and storage in New Melones Reservoir this year, it is not clear what may be claimed under OID's and SSJID's water rights versus water that is diverted under Reclamation's water rights and provided by contract to OID and SSJID.

This is a workshop item and no action will be taken, but the State Water Board may provide direction to staff. This workshop item is being held to solicit public input and Board Member direction on three options for acting on the expected TUCP. In acting on the TUCP, the State Water Board may 1) approve; 2) disapprove; or 3) approve subject to conditions. Potential conditions for approval include a requirement to provide a water right accounting for existing storage and inflow to New Melones Reservoir to determine whether Reclamation has adequate water under its rights to meet its obligations; carryover storage requirements that would be applicable to Reclamation's water rights; and a requirement that Reclamation identify actions that Reclamation proposes to take to address longer-term compliance issues with implementing the San Joaquin River flow objectives until such time as the State Water Board updates the objectives and takes action to implement them.

POLICY ISSUE

None at this time; however, this workshop item could inform future State Water Board actions.

FISCAL IMPACT

None.

REGIONAL BOARD IMPACT

None.

STAFF RECOMMENDATION

This is a workshop item only and no action will be taken.