
State Water Resources Control Board

NOTICE OF STAFF WORKSHOP ON PROPOSED REFINED WATERSHED ANALYSIS AND FRIANT PRIORITY DATE ADJUSTMENTS IN THE WATER UNAVAILABILITY METHODOLOGY FOR THE DELTA WATERSHED

State Water Resources Control Board (State Water Board or Board) staff will hold a technical workshop to receive public input on proposed changes to the Water Unavailability Methodology (Methodology) for the Delta Watershed, including a refined watershed-scale analysis and adjustments to the assumed priority dates for water rights associated with the Friant Division of the Central Valley Project. A summary document describing the proposed changes to the Methodology and a draft spreadsheet containing the refinements to the analyses are available on the [Water Unavailability Methodology webpage](#). During the workshop, there will be a staff presentation followed by the opportunity for questions and comments.

Wednesday, November 9, 2022
1:00 p.m. – 5:00 p.m.
Remote Participation Only

WORKSHOP TOPICS

During the workshop, staff will seek public input on the following topics related to the Water Unavailability Methodology:

1. The Refined Watershed Analysis — proposed changes to the Methodology that improve the spatial resolution of water unavailability analyses conducted for the Sacramento and San Joaquin River watersheds.
2. Friant Division priority date adjustments — proposed changes to the assumed priority dates of water rights held by the U.S. Bureau of Reclamation (Reclamation) for the Friant Division of the Central Valley Project.

WORKSHOP PARTICIPATION

If you wish to view the workshop only, a webcast will be available at <https://video.calepa.ca.gov/> (closed captioning available). This option should be used for viewing the workshop **UNLESS** you intend to provide oral comments, ask clarifying questions, or make a presentation during the workshop.

If you wish to participate in the workshop, join the Zoom meeting by phone, computer, or mobile device using information provided below:

- Zoom Link:
<https://waterboards.zoom.us/j/96666753631?pwd=ZGh1WURWWktvWW9lNnJD aTBJOW9zQT09>
- Zoom Telephone Number: (669) 444-9171
- Meeting ID: 966 6675 3631
- Passcode: 587686

If you wish to make oral comments or ask clarifying questions during the workshop, please fill out a virtual speaker card using the [online form](#) provided for this workshop by **noon on Monday, November 7, 2022**. It is recommended that you submit a speaker card if you know that you wish to speak, though additional speakers or questions will also be accepted on the day of the workshop. Comments should address the topics identified above. If there are a large number of commenters, speakers may be asked to shorten their comments to accommodate all speakers.

If you wish to make a presentation during the workshop, please fill out a virtual speaker card using the [online form](#) provided for this workshop by **noon on Monday, November 7, 2022**, and indicate that you wish to make a presentation. Presentations will be limited to 10 minutes. Presentations are required to be submitted to Bay-Delta@waterboards.ca.gov no later than **noon on Monday, November 7, 2022**. Presentations must be in **PowerPoint format and should not include any transitions or external media sources**. Please be aware that State Water Board staff will be sharing and advancing all presentation slides during the workshop. If multiple speakers wish to organize as a panel, please submit a single speaker card listing the number and names of all panelists.

This workshop will be recorded, and the recording will be posted on the [Delta Drought webpage](#). If you have any questions regarding how to participate in the workshop, please send an email to Bay-Delta@waterboards.ca.gov.

WRITTEN PUBLIC COMMENTS

Written comments related to the workshop topics must be submitted to Bay-Delta@waterboards.ca.gov by **5:00 PM on Wednesday, November 16, 2022**. Comments should be formatted with a heading describing the general topic or subject of the comment. In addition to written comments, interested parties will have the opportunity to provide oral comment at the staff workshop on Wednesday, November 9, 2022.

BACKGROUND

The Delta watershed has been facing severe drought conditions starting in 2020. Following a dry year in 2020 and a critically dry year in 2021, the Delta is currently facing a third year of dry conditions in water year 2022. Continued dry conditions are expected to result in severe limitations in water supplies, including limited reservoir storage levels and associated water quality and environmental concerns.

On July 20, 2022, the State Water Board revised and renewed an emergency regulation authorizing the curtailment of diversions when water within the Delta watershed is determined to be unavailable at a water right holder's or claimant's priority of right. (Cal. Code Regs., tit. 23, §§ 876.1–879.3.) The regulation was approved by the Office of Administrative Law and went into effect upon filing with the Secretary of State on August 12, 2022. The emergency regulation will remain in effect for up to one year but could be repealed if hydrologic conditions improve or renewed again if drought conditions persist.

Curtailments are determined using the Water Unavailability Methodology, which evaluates water unavailability by comparing supplies and demands at the headwater subwatershed and Sacramento and San Joaquin River watershed scales in order of water right or claim priority. The proposed Refined Watershed Analysis improves the spatial resolution of the watershed analysis by distributing the demands of an individual water right or claim only among the tributaries upstream of its subwatershed. The Refined Watershed Analysis does not change the headwater subwatershed analysis or other aspects of the existing Methodology. A summary document describing the Refined Watershed Analysis and comparing its approach to the current Methodology is available on the Board's [Water Unavailability Methodology webpage](#).

The proposed adjustments to the priority dates of Reclamation's water rights for the Friant Division are consistent with Reclamation's position that the Friant service area is within the watershed of origin, or an area immediately adjacent thereto which can conveniently be supplied with water therefrom, within the meaning of Water Code section 11460, and therefore Reclamation's rights associated with the Friant Division should not be considered junior to all other rights within the San Joaquin River watershed. Reclamation's position is supported by the U.S. Supreme Court's decision in *City of Fresno v. California* (1963) 372 U.S. 627. In the current Methodology, water rights A000023, A000234, A001465, and A005638 (License 1986, and Permits 11885, 11886, and 11887, respectively) are all assumed to have "Project" priorities that make them the most junior rights in the watershed due to area of origin protections. With the proposed adjustments, the priority dates of these rights would be changed to March 27, 1915; January 19, 1916; September 26, 1919; and July 30, 1927, respectively, to reflect the dates when the underlying applications to appropriate water were filed.

ADDITIONAL RESOURCES

For more information regarding drought in the Delta watershed, visit the [Delta Drought webpage](#). To receive updated information regarding drought in the Delta watershed, it is also strongly encouraged that you subscribe to the Delta Drought list on the [State Water Board's Email Lists webpage](#). For information on other drought related activities, please visit the State Water Board's [Drought webpage](#).

CONTACT

Individuals who require special accommodations are requested to contact staff at Bay-Delta@waterboards.ca.gov prior to the workshop. If you have any questions regarding this notice or related efforts, you may send an email to Bay-Delta@waterboards.ca.gov or call the Delta Drought phone line at (916) 319-0960.