



WATER DEPARTMENT

2014 JUL 25 11:11:02

DIV OF WATER RIGHTS
SACRAMENTO

Working Copy MJM A017913

July 24, 2014

State of California Water Resources Control Board
Division of Water Rights
P.O. Box 2000
Sacramento CA 95812-2000

Attn: Barbara Evoy, Deputy Director for Water Rights
Cc: Matt McCarthy, Division of Water Rights

Subject: City of Santa Cruz - Petition for Extension of Temporary Urgency Change Order,
License 9847 (Application 17913)

Dear Ms. Evoy,

The State Water Board approved the City's Petition for Temporary Urgency Change Order on February 14, 2014. The Order allows a temporary, 180 day reduction in the downstream bypass/release from Newell Creek Reservoir from 1.0 cubic feet per second (cfs) to 0.2 cfs, expiring August 14, 2014. The impact of the TUCP over the first five months has been to save 80 million gallons of storage in the reservoir. The TUCP is proving to be a significant benefit to the City's ability to manage the very real water shortage emergency we are facing.

With this letter and accompanying petition application the City is requesting a 180 day extension of the reduced bypass/release of 0.2 cfs, to February 14, 2015. Also included is the fee of \$2677. We understand from our correspondence with Board staff that no additional payment to the Department of Fish and Wildlife is required for this extension of the urgency petition.

Compliance with the Current Order

The order was conditioned with three requirements:

- 1. Reduce water demand by 20% of normal water use by instituting water rationing and promoting conservation – water use reduction achieved so far

May – 18.3%	June – 23%	July to date – 25%
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- 2. Monitor the effects of the amended release or bypass amount on fisheries resources and take all necessary steps to avoid harm to fish in Newell Creek: monitoring data and observations from

February 2014 to date indicate that the reduced bypass flow has not changed passage conditions in critical riffles nor created any areas of hydrologic discontinuity.

3. Submit a written report to the Deputy Director for Water Rights that summarizes all activities conducted to ensure compliance with the requirements of this Order, and the amount of water use reduction achieved - report submitted July 1, 2014.

The above information confirms that the City is in compliance with the Order.

Urgent Need for Extension of the Order

The City of Santa Cruz has an urgent need to extend the order which suspended the bypass and release requirement on Loch Lomond Reservoir from 1 cfs to 0.2 cfs, in order to preserve the water remaining in storage so that there will be sufficient water to meet essential health and safety needs. Current inflow is 0.12 cfs – only 60 percent of the temporary fish release. As upstream flows inevitably recede further and evaporation and transpiration remove water from the reservoir, the gap between inflow and outflow will become greater. Therefore, the City's release of stored water pursuant to the 1957 agreement is depleting the City's only source of stored water for drought protection.

The City is 100% dependent upon local rainfall and runoff for its municipal water supply. While the City holds Permits for diversion from the San Lorenzo River, its primary source of water, the San Lorenzo River is currently flowing at near record low levels and the City is unable to divert any water under its Permits. The City's coastal water sources are severely constrained due to fishery protection considerations as well as the very low flows resulting from the lack of precipitation. Because of the critically dry weather pattern, the City has to rely increasingly on the water remaining in storage in Loch Lomond Reservoir to meet its demands.

The goal of the 2014 Stage 3 Water Shortage Emergency is to reduce system-wide water use by 25 percent. This reduction will help maintain Loch Lomond reservoir storage at or above 45 percent of its total capacity by the end of the season to ensure adequate carryover storage is available next year. The order has been critical to helping the City achieve its storage goal thus far. However, supply projections for end of season storage without an extension will be 539.6 feet or 41.2 percent of capacity, significantly below our goal of 542.5 feet or 45.1%, that would be achieved with an extension, consequently, without an extension the City will fail to achieve its use reduction goal and reservoir storage will be inadequate to meet essential health and safety needs.

Conclusion

We appreciate the assistance of the SWRCB in approving the temporary Order which is significantly improving our ability to mitigate one of the impacts of the serious water shortage condition we are facing. As the severe drought persists, our local flowing sources have and will continue to decrease. Given the demonstrated benefit of the Order we are requesting that the order be extended for another 180 days, to February 14, 2015. We have informed NOAA and CDFW of our request for an extension. Representatives of both agencies (Jon Ambrose, NOAA, and Corinne Grey, CDFW) have informed us that they do not object to the extension.

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Please let us know if you have any questions or concerns. Again, we appreciate the opportunity to work in a collaborative manner to mitigate one of the impacts of this severe drought.

Sincerely,

A handwritten signature in blue ink, appearing to read "T. Tompkins".

Terry Tompkins
Deputy Water Director
City of Santa Cruz

Cc: w/encl Rosemary Menard, Water Director
w/encl Martha Lennihan

Please indicate County where your project is located here:

Santa Cruz

MAIL FORM AND ATTACHMENTS TO:
State Water Resources Control Board
DIVISION OF WATER RIGHTS
P.O. Box 2000, Sacramento, CA 95812-2000
Tel: (916) 341-5300 Fax: (916) 341-5400
http://www.waterboards.ca.gov/waterrights

STATE WATER RESOURCES CONTROL BOARD
2014 JUL 25 11:11:09
DIVISION OF WATER RIGHTS

PETITION FOR CHANGE

Separate petitions are required for each water right. Mark all areas that apply to your proposed change(s). Incomplete forms may not be accepted. Location and area information must be provided on maps in accordance with established requirements. (Cal. Code Regs., tit. 23, § 715 et seq.) Provide attachments if necessary.

- Point of Diversion, Point of Rediversion, Place of Use, Purpose of Use, Distribution of Storage, Temporary Urgency, Instream Flow Dedication, Waste Water, Split, Terms or Conditions, Other
Application A017913, Permit 11618, License 9847, Statement

I (we) hereby petition for change(s) noted above and described as follows:

Point of Diversion or Rediversion - Provide source name and identify points using both Public Land Survey System descriptions to 1/4-1/4 level and California Coordinate System (NAD 83).

Present: No Change
Proposed:

Place of Use - Identify area using Public Land Survey System descriptions to 1/4-1/4 level; for irrigation, list number of acres irrigated.

Present: No Change
Proposed:

Purpose of Use

Present: No Change
Proposed:

Split

Provide the names, addresses, and phone numbers for all proposed water right holders.

[Empty box for split details]

In addition, provide a separate sheet with a table describing how the water right will be split between the water right holders: for each party list amount by direct diversion and/or storage, season of diversion, maximum annual amount, maximum diversion to offstream storage, point(s) of diversion, place(s) of use, and purpose(s) of use. Maps showing the point(s) of diversion and place of use for each party should be provided.

Distribution of Storage

Present: No Change
Proposed:

Rec'd Check # 174684 \$2,677.00

Temporary Urgency

This temporary urgency change will be effective from to

Include an attachment that describes the urgent need that is the basis of the temporary urgency change and whether the change will result in injury to any lawful user of water or have unreasonable effects on fish, wildlife or instream uses.

Instream Flow Dedication – Provide source name and identify points using both Public Land Survey System descriptions to ¼-¼ level and California Coordinate System (NAD 83).

Upstream Location:
Downstream Location:

List the quantities dedicated to instream flow in either: cubic feet per second or gallons per day:

Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec

Will the dedicated flow be diverted for consumptive use at a downstream location? Yes No
If yes, provide the source name, location coordinates, and the quantities of flow that will be diverted from the stream.

Waste Water

If applicable, provide the reduction in amount of treated waste water discharged in cubic feet per second.

Will this change involve water provided by a water service contract which prohibits your exclusive right to this treated waste water? Yes No

Will any legal user of the treated waste water discharged be affected? Yes No

General Information – For all Petitions, provide the following information, if applicable to your proposed change(s).

Will any current Point of Diversion, Point of Storage, or Place of Use be abandoned? Yes No

I (we) have access to the proposed point of diversion or control the proposed place of use by virtue of:
 ownership lease verbal agreement written agreement

If by lease or agreement, state name and address of person(s) from whom access has been obtained.

Give name and address of any person(s) taking water from the stream between the present point of diversion or rediversion and the proposed point of diversion or rediversion, as well as any other person(s) known to you who may be affected by the proposed change.

All Right Holders Must Sign This Form: I (we) declare under penalty of perjury that this change does not involve an increase in the amount of the appropriation or the season of diversion, and that the above is true and correct to the best of my (our) knowledge and belief. Dated at

Terrill B Tompkins
Digitally signed by Terrill B Tompkins
DN: cn=Terrill B Tompkins, o=City of Santa Cruz,
ou=Water, email=ttompkins@cityofsantacruz.com, c=US
Date: 2014.07.18 15:12:02 -0700

Right Holder or Authorized Agent Signature

Right Holder or Authorized Agent Signature

NOTE: All petitions must be accompanied by:
(1) the form Environmental Information for Petitions, including required attachments, available at: http://www.waterboards.ca.gov/waterrights/publications_forms/forms/docs/pet_info.pdf
(2) Division of Water Rights fee, per the Water Rights Fee Schedule, available at: http://www.waterboards.ca.gov/waterrights/water_issues/programs/fees/
(3) Department of Fish and Wildlife fee of \$850 (Pub. Resources Code, § 10005)