

2018 PETITION FOR TEMPORARY CHANGE TO MODIFY THE SWP AND CVP AUTHORIZED PLACES OF USE

California Department of Water Resources

Application Number 14443, Permit 16479

U.S. Bureau of Reclamation Permits for the Central Valley Project

Application Numbers: 23, 234, 1465, 5626, 5628, 5638, 9363, 9364, 9368, 13370, 13371, 15374, 15375, 15764, 16767, 17374, 17376

License Number 1986 and Permit Numbers: 11885, 11886, 12721, 11967, 11887, 12722, 12723, 11315, 11316, 11968, 11969, 12727, 12860, 11971, 11973, 12364

Requested Change

The California Department of Water Resources (DWR) and the United States Bureau of Reclamation (Reclamation) request the State Water Resources Control Board (SWRCB) modify the permits listed above to temporarily change the authorized place of use of (1) the above Reclamation permits to include the State Water Project (SWP) authorized place of use downstream of Harvey O. Banks Pumping Plant (Banks) as shown on the maps on file with the SWRCB, and (2) the above DWR permit to include the Central Valley Project (CVP) authorized place of use downstream of Jones Pumping Plant (Jones) as shown on the maps on file with the SWRCB and as shown on the attached maps. The authorized SWP and CVP places of use are located within Fresno, Kern, Kings, Los Angeles, Merced, Orange, Riverside, San Benito, San Bernardino, San Diego, San Joaquin, Santa Clara, Stanislaus, Tulare, and Ventura counties. DWR and Reclamation request that the above changes become effective on June 8, 2018 and remain in effect for one year from the date of any order approving this Petition. These changes will allow DWR and Reclamation to more effectively and efficiently utilize the potential operational flexibility of the combined SWP and CVP facilities and water supply south of Banks and Jones. The requested changes will facilitate the delivery of available Project supplies south of the Delta and maximize the beneficial use of available supplies. Approval of this Petition will not increase the quantity or alter the timing of diversions from the Delta or the San Joaquin River.

Reason for the Requested Changes

California experienced wet conditions in 2017, however the trend has not continued into 2018. The U.S. Drought Monitor updated on April 10 is classifying approximately 64 percent of the state as being Abnormally Dry or in Severe Drought conditions. The current allocation to SWP contractors is 20 percent of their requested Table A amounts. On February 20, Reclamation announced a 20 percent allocation for agricultural contractors and municipal and industrial contractors south of Jones. It is therefore critical for DWR and Reclamation to maximize the efficiencies of SWP and CVP deliveries to assist in meeting water demands.

The proposed changes in place of use will not result in diversion of additional water from the Delta, a change in the timing of SWP or CVP diversions, or the delivery of more Project water than has been delivered historically. Instead, the requested change will provide the operational flexibility the Projects need to get available supplies where they are needed most and to make the most efficient use of the available water supplies, as well as to aid in the continued recovery from the extended drought.

Proposed Projects Requiring a Change in Authorized Place of Use

All exchanges covered by this Petition will occur south of the Delta and total amount of water transferred will not exceed **434,300 acre-feet**. The following exchanges are proposed by SWP and CVP contractors south of the Delta to maximize efficient use of available water supplies.

A. Santa Clara Valley Water District

Santa Clara Valley Water District (SCVWD) contracts for water supplies from both SWP and CVP. The SWP water is typically delivered through the South Bay Aqueduct (SBA) and the CVP water is typically delivered from San Luis Reservoir through the San Felipe Division. In 2018 and 2019, several operational and maintenance issues may require the delivery of the SCVWD's CVP, SWP, and/or transfer supplies through an exchange. Also in 2018 and 2019, SCVWD will likely need to recover previously stored CVP water from the Semitropic Water Storage District (Semitropic) groundwater bank by exchange. **Up to 100,000 acre-feet** of SCVWD's CVP, SWP, and/or previously stored CVP supplies may be subject to these alternative conveyance approaches. The need for this flexibility is described in more detail below:

Based on historic operating conditions, total storage in San Luis Reservoir may drop to levels that result in operational and/or water quality problems. When this occurs, SCVWD's pumping

capacity through the CVP San Felipe Division can be limited, potentially impacting the ability to meet SCVWD demands. In addition, low water levels can result in reduced water quality causing water treatment problems that could result in severe reductions in the quantity of CVP water conveyed through the CVP San Felipe Division, as well as increased water treatment costs. During these times when SCVWD's CVP deliveries through the San Felipe Division facilities are reduced or eliminated, SCVWD would be significantly more reliant on deliveries through the South Bay Aqueduct to meet demands.

Another issue is the aging infrastructure in the San Felipe Division, which has resulted in several planned and unplanned facility shutdowns for maintenance and repair over the last several years. In 2018 and 2019, SCVWD has also identified the following planned activities that will limit its ability to receive water through the San Felipe Division and therefore, may require delivery of SCVWD's CVP water through an exchange with SWP: 1) work on SCVWD-maintained facilities, including shutdown of the Santa Clara Tunnel and Pacheco Conduit resulting from corrective actions identified in the inspection performed in 2017 and early 2018; 2) work on the Cross Valley Pipeline from October 2018 through December 2018, at which time CVP deliveries will need to be ceased.

The SBA has also experienced several unplanned outages over the last several years due to ageing infrastructure, during which time SCVWD has been almost completely reliant on CVP deliveries to meet treatment plant demands. Possible shutdowns on the SBA, as well as within SCVWD's service area, may prevent deliveries of SWP water through the SBA.

SCVWD has previously banked CVP water in the Semitropic groundwater bank. Recovery of the stored CVP water must be accomplished by exchange. In order to return the previously stored CVP water to SCVWD, Semitropic will either pump the stored water into the California Aqueduct through Semitropic's turn-in facilities and deliver that water to DWR for use within the SWP service area south of Semitropic, or use SCVWD's previously stored water within Semitropic's service area. In exchange, an equal amount of SWP water would be delivered to SCVWD through either the SBA and/or the CVP San Felipe Division.

SCVWD may need to move its SWP water through the CVP San Felipe Division by exchange in order to balance its operations if there is insufficient CVP water through the CVP San Felipe Division. Reclamation and DWR are requesting an exchange of CVP and SWP water to allow the delivery of SCVWD's SWP water through an exchange with CVP water. SWP water would be pumped at Banks and delivered to the CVP at O'Neill Forebay for use within the CVP service area south of O'Neill Forebay. In exchange, an equal amount of CVP water would be pumped at

Jones and delivered to SCVWD through the CVP San Felipe Division. The proposed exchange would not increase the total amount of CVP or SWP water allocated to SCVWD by DWR or Reclamation.

Due to the low SWP allocation in 2018, and for the reasons discussed above, SCVWD may also need to move its CVP water through the SBA by exchange in order to balance its operations if there is insufficient SWP water moving through the SBA. Thus, Reclamation and DWR are requesting approval to exchange CVP and SWP water to allow SCVWD's CVP water to be pumped at Jones and delivered to DWR at O'Neill Forebay for use within the SWP service area south of O'Neill, and in exchange, an equal amount of SWP water would be pumped at Banks and delivered through SBA. The proposed exchange would not increase the total amount of CVP or SWP water allocated to SCVWD by DWR or Reclamation.

The added flexibility provided by the proposed exchanges will allow SCVWD to manage operational and maintenance uncertainties on both the CVP San Felipe Division and the SBA and allow SCVWD to recover previously stored CVP water from the Semitropic groundwater bank by exchange and will minimize negative impacts to the economy of the SCVWD service area, water levels within the region's groundwater basin, and local environmental resources.

B. Oak Flat Water District–Del Puerto Water District

Oak Flat Water District (OFWD), a SWP contractor, and Del Puerto Water District (DPWD), a CVP contractor, are adjacent districts located north of San Luis Reservoir in San Joaquin, Stanislaus and Merced counties. These two districts share common landowners. Landowners with water supplies from both projects have requested the ability to optimize the application of available supplies on their combined properties.

i. Transfer of Allocated SWP and CVP Supplies

The proposed transfers will allow the delivery of **up to 1,000 acre-feet** of the landowners' CVP supplies through SWP turnouts on the California Aqueduct to lands within OFWD and/or delivery of the landowner's SWP supplies through CVP turnouts on the Delta-Mendota Canal to lands within DPWD. The proposed transfers will result in no increase in total SWP or CVP allocations to either district.

ii. Delivery of Allocated CVP Water Through SWP Turnouts

In addition to the transfers above, OFWD and DPWD propose an even exchange with SWP and CVP water to allow the delivery of **up to 2,000 acre-feet** of DPWD's CVP water. A portion of the

lands within DPWD adjacent to OFWD are more efficiently served from OFWD's turnouts on the California Aqueduct. DPWD proposes to deliver a portion of its CVP supply to the lands adjacent to OFWD through an even exchange with SWP water. Up to 2,000 acre-feet of SWP water will be delivered through the OFWD turnouts on the California Aqueduct. An equal amount of CVP water will be delivered to DWR at O'Neill Forebay. The exchange will not result in any increase in pumping from the Delta of either SWP or CVP water. There will be no increase in total deliveries to DPWD.

C. Kern County Water Agency

KCWA proposes to exchange **up to a total of 115,000 acre-feet** under the six actions listed below.

i. Kern County Water Agency–Kern Tulare Water District Exchange: Cross Valley Canal

Kern County Water Agency (KCWA) is a SWP contractor with numerous member units within Kern County. Kern Tulare Water District (KTWD) is a CVP contractor located in Kern County with a contract for CVP water through the Cross Valley Canal (CVC). Due to limited capacity at Jones, conveyance of CVP-CVC water through SWP facilities is often required to affect deliveries to the CVC contractors. DWR and Reclamation have an agreement to pump CVC water at Banks for delivery to the CVC when operational capacity is available. As a result of projected hydrologic conditions and anticipated operational restrictions, it is possible there will be no ability to move CVC water through Jones or Banks until fall 2018. In order to assist KTWD in meeting peak irrigation demands this summer, KCWA is willing to provide **up to 50,000 acre-feet** of its SWP water to KTWD through the summer months. In exchange, KTWD is willing to provide an equivalent amount of CVP-CVC water to KCWA in the fall for delivery to KCWA member units. KTWD is within the SWP place of use; however, several of the KCWA member units to receive the fall CVP water are outside the CVP place of use. The exchange will not result in an increase in allocations to either district.

ii. Kern County Water Agency–Kern Tulare Water District Exchange: Banked CVP

KTWD proposes to deliver **up to 9,000 acre-feet** of previously banked CVP water in the Rosedale-Rio Bravo Water Storage District to KCWA Improvement District Number 4 (ID4) in exchange for up to 9,000 acre-feet of SWP allocations carried over in San Luis Reservoir from 2017 and 2018 SWP allocations. The SWP allocation will be delivered to KTWD for in-district use. KTWD is within the SWP place of use; however, several of the KCWA member units to

receive the fall CVP water are outside the CVP place of use. The exchange will not result in any increase in allocations to either district.

iii. Kern County Water Agency–Kern Tulare Water District Exchange: 2019 CVP

KTWD proposes to deliver **up to 3,000 acre-feet** of CVP water delivered to ID4 in January and February 2019 in exchange for a like amount of SWP allocations carried over in San Luis Reservoir from 2018 and 2019 SWP allocations. The SWP allocation will be delivered to KTWD for in-district use. KTWD is within the SWP place of use; however, several of the KCWA member units to receive the fall CVP water are outside the CVP place of use. The exchange will not result in an increase in allocations to either district.

iv. Kern County Water Agency–Westlands Water District Exchange: Banked CVP

KCWA proposes to deliver **up to 13,000 acre-feet** of its SWP water to lands within Westlands Water District (WWD) to facilitate the delivery of previously stored CVP water in the Semitropic. Two landowners, Poso Creek LLC and Harris Farms Inc., have agricultural operations in both KCWA and WWD and have both a SWP and CVP contract supply. The landowners have banked CVP water in Semitropic. The landowners plan to recover up to 13,000 acre-feet of their previously stored CVP water. Delivery of the CVP water currently stored in Semitropic will be accomplished through exchange. KCWA will deliver up to 13,000 acre-feet of SWP water to WWD turnouts on the joint use facilities. An equivalent amount of the landowner's water stored in Semitropic will be transferred to KCWA. The exchange will not result in an increase in allocations to either district.

v. Kern County Water Agency–Pixley Irrigation District and Homer, LLC: CVC

KCWA proposes to deliver **up to 10,000 acre-feet** of CVP CVC Exchange Contractor water to lands within KCWA but outside of the CVP place of use. Sun World International (SWI) has agricultural operations within KCWA and may acquire up to 8,000 acre-feet of CVP CVC Exchange Contractor water from Pixley Irrigation District (PID) in exchange for a like amount of Friant Class 1 water supplies SWI will acquire from Tulare Irrigation District (TID) and potentially other districts. In addition, Homer, LLC (Homer) has agricultural operations with KCWA and may acquire up to 2,000 acre-feet of CVP CVC Exchange Contractor water from Lower Tule River ID (LTRID) in exchange for a like amount of Tule River supplies or Friant Class 1 supplies it will acquire from other districts. PID's and LTRID's CVP CVC Exchange Contractor water may be delivered to existing farms within Berrenda Mesa Water District, which is within KCWA but

outside of the CVP place of use. The exchange will not result in an increase in allocations to either district.

vi. Within Kern County Water Agency: SWP-CVP

KCWA proposes to deliver **up to 20,000 acre-feet** of CVP Delta, San Luis Reservoir, or Friant surface supplies (CVP water supplies) to lands within KCWA but outside of the CVP place of use to facilitate a one-for-one exchange program between Arvin-Edison Water Storage District (AEWSD) and Westside Mutual Water Company (WMWC). WMWC receives SWP water supplies from Belridge Water Storage District (BWSD), Berrenda Mesa Water District (BMWD) and Lost Hills Water District (LHWD). As part of the exchange program, AEWSD will deliver its CVP water supplies to BWSD, BMWD and LHWD on behalf WMWC, within KCWA but outside of the CVP place of use. In exchange, an equivalent amount of BWSD, BMWD and LHWD's SWP water will be delivered to AEWSD within the SWP place of use. The exchange will not result in an increase in allocations to either district.

vii. Kern County Water Agency-Rosedale-Rio Bravo Water Storage District Groundwater Bank:

KCWA proposes to deliver **up to 10,000 acre-feet** of its CVP Friant water to lands outside of the CVP place of use but inside the SWP place of use that covers the service areas of Castaic Lake Water Agency (Castaic), Coachella Valley Water District (Coachella), and Metropolitan Water District of Southern California (MWDSC) on behalf of its member agency Irvine Ranch Water District (Irvine) to facilitate the delivery of previously stored SWP and Kern River water in Rosedale-Rio Bravo Water Storage District (Rosedale). Castaic has banked SWP and Kern River water supplies in Rosedale's groundwater bank and plans to recover up to 3,000 af of their previously stored SWP and Kern River water. Coachella has banked Kern River water supplies in Rosedale and plans to recover up to 5,000 af of their previously stored Kern River water. Irvine has banked SWP and Kern River water supplies in Rosedale and plans to recover up to 2,000 af of their previously stored SWP and Kern River water. Delivery of the SWP and Kern River water currently stored in Rosedale will be accomplished through exchange. KCWA will deliver up to 10,000 af of the CVP Friant water to Castaic's, Coachella's, and Irvine's California Aqueduct turnouts. An equivalent amount of Castaic's, Coachella's, and Irvine's water stored in Rosedale's groundwater bank will be transferred to Rosedale.

D. Arvin-Edison Water Storage District–Metropolitan Water District

The Arvin-Edison Water Storage District (AEWSD, a CVP contractor) proposes to exchange **up to a total of 150,000 acre-feet** of CVP water supplies with the Metropolitan Water District of Southern California (MWDSC) SWP water under the three programs described below. CVP Delta supplies will be exchanged as stated below. If available, CVP Friant Division water will be provided directly via delivery from the Friant-Kern Canal and AEWSD's distribution system, including its connections to the California Aqueduct at Milepost 227 (Reach 14C) or via its capacity in the CVC to the California Aqueduct at Tupman/Milepost 238 (Reach 12E).

The following three exchanges will offset the impacts to AEWSD under the San Joaquin River Restoration Program (SJRRP) by increasing AEWSD's ability to efficiently use water supplies and by increasing the opportunities to complete the return of SJRRP releases to AEWSD. In addition, the exchange could result in a reduction in energy and costs associated with groundwater recharge and extraction. These exchanges will not result in an increase in allocations to either district.

i. Groundwater Banking

MWDSC stores a portion of its SWP supply in AEWSD's groundwater banking facilities depending on annual allocations. When requested, AEWSD is obligated to return previously banked SWP water to MWDSC. In the absence of this proposed exchange, previously banked SWP water can only be recovered from AEWSD banking facilities through groundwater extraction. The expansion of the CVP place of use will allow AEWSD the option and flexibility to return MWDSC's banked water through an exchange of its available surface water supplies, including CVP Delta, San Luis Reservoir, or Friant surface supplies (CVP water supplies). The exchange will allow AEWSD greater flexibility in the scheduling and use of its CVP water supplies, as well as a reduction in energy and costs associated with the groundwater extraction. The ability for AEWSD to return surface water through exchange would enhance the operational flexibility, water quality, and timing of water returned to MWDSC. CVP water supplied to MWDSC by AEWSD in lieu of extraction to recover previously stored SWP water will result in a one-for-one reduction of MWDSC's groundwater banking account with AEWSD. The exchange will occur only to the extent MWDSC has a positive groundwater bank balance. Upon return of water to MWDSC, an equivalent amount of MWDSC's previously banked SWP water residing in AEWSD's water banking facilities would transfer to AEWSD.

ii. Regulation Program

Additionally, the requested change to a consolidated place of use would allow AEWS D to deliver its CVP water supplies to MWDSC first and receive back SWP water supplies in exchange at a later time. This program better facilitates the use of AEWS D's CVP water supplies that have a limited opportunity for use under current CVP operations. AEWS D is interested in utilizing MWDSC's ability to take delivery of and use or store AEWS D's CVP water supplies and return SWP water supplies to AEWS D at a future time in order to enhance AEWS D's ability to match supply to grower demands. The ability to regulate water in this manner reduces the need to directly recharge, and subsequently extract, groundwater. This exchange mechanism would also be on one-for-one basis.

iii. Spill Prevention Program

In the event that hydrologic conditions are such that AEWS D believes that there may be limited availability to carry over 2018 CVP water supplies in CVP reservoirs, AEWS D's CVP water supplies would be delivered to MWDSC to reduce risk of spill and subsequent potential loss of water supplies. The CVP water would be delivered to MWDSC by exchange in San Luis Reservoir or directly into the California Aqueduct via the Friant-Kern Canal and AEWS D or CVC facilities. MWDSC is willing to provide water management services to assist in regulating the available contract supplies.

MWDSC would receive AEWS D's CVP water prior to spill and, at a later time, return a lesser amount of SWP water (return 2 acre-feet for every 3 acre-feet regulated) to AEWS D. The unbalanced nature of the exchange reflects the compensation to MWDSC for their water management services, which would protect the water from spilling. In the absence of the exchange with MWDSC, AEWS D would attempt to avoid spilling the water by delivering the available CVP contract supplies to groundwater banking programs within the AEWS D service area or other areas that are within the CVP place of use; however, such programs are limited and the water may spill.

E. Byron Bethany Irrigation District–Musco Olive Products Inc.

Byron Bethany Irrigation District (BBID) contracts with Reclamation for CVP water. BBID provides **up to 450 acre-feet** per year of CVP water to Musco Olive Product Inc. (Musco). Musco is not connected to Reclamation's or BBID's distribution system. Neither BBID nor Reclamation can physically convey CVP water to Musco directly. Musco is located near SWP Reach 2A on the California Aqueduct (north of O'Neill Forebay). DWR will deliver up to

450 acre-feet of SWP water to Musco for BBID in exchange for an equivalent amount of CVP water delivered by Reclamation to DWR at O'Neill Forebay.

F. Tulare Lake Basin Water Storage District–Westlands Water District–San Luis Water District–Pleasant Valley Water District

Due to the current uncertainties in the hydrologic, regulatory, and operational conditions, Westlands Water District (Westlands), San Luis Water District (San Luis), and Pleasant Valley Water District (Pleasant Valley) could realize restrictions on the amount of 2018 CVP water available to agricultural contractors downstream of Jones pumping plant. Growers within Westlands, San Luis, and Pleasant Valley will execute an agreement with J. G. Boswell Company (Boswell), a local landowner within Tulare Lake Basin Water Storage District (TLBWSD), for the purchase of **up to 65,000 acre-feet** of Boswell's pre-1914 Kings River water. TLBWSD proposes to facilitate the transfer of the purchased water to Westlands, San Luis, and Pleasant Valley by transferring up to 65,000 acre-feet of its SWP water to Westlands, San Luis, and Pleasant Valley in exchange for up to 65,000 acre-feet of Boswell's pre-1914 Kings River water. TLBWSD's SWP water in San Luis Reservoir will be conveyed through the California Aqueduct and delivered to the growers within Westlands, San Luis, and Pleasant Valley who own lands outside of the SWP place of use but within the CVP place of use. The exchange will be completed by June 8, 2019.

G. Department of Veteran Affairs' San Joaquin Valley National Cemetery

The Department of Veteran Affairs' San Joaquin Valley National Veterans Cemetery (Cemetery) contracts with Reclamation for **up to 850 acre-feet** of CVP supply. The CVP water cannot physically be delivered directly to the Cemetery when the use of Joint Point of Operations (JPOD) authorized under Water Right Decision 1641 (D-1641) or the California Aqueduct-Delta Mendota Canal intertie (Intertie) is not available. The Cemetery is located near Reach 2B on the California Aqueduct (north of O'Neill Forebay). This Petition would allow DWR to deliver up to 850 acre-feet of SWP water to the Cemetery in exchange for an equivalent amount of CVP water delivered by Reclamation to DWR at O'Neill Forebay.

Potential of Additional Exchanges/Transfers

The above exchanges/transfers include all the specific exchanges/transfers anticipated as of the date of this Petition. However, SWP and CVP contractors continue to explore other opportunities to retrieve previously stored Project supplies and optimize the delivery (quantity

and timing) of their Project supplies from all available sources. DWR and Reclamation anticipate that throughout the coming year more needs and opportunities for exchanging SWP and CVP water may be developed. DWR and Reclamation request that any order approving this Petition to consolidate the SWP and CVP places of use south of the Delta to include the approval of potential future projects that meet certain specific criteria. In order to allow the SWRCB to make the findings required by Water Code Section 1725, any project not specifically detailed above would be required to meet the following criteria:

1. The exchange or transfer would not result in any increase in the amount of water diverted from the Delta. The water to be exchanged would be part of any available Project allocations, water currently stored in San Luis Reservoir, or previously placed in groundwater storage south of the Delta.
2. The water to be exchanged or transferred would have been consumptively used or stored in the absence of the transfer.
3. The total quantity of water delivered to SWP or CVP contractors as a result of the change will not exceed historic deliveries.
4. The exchange or transfer will not result in the net loss of San Joaquin River or Sacramento River flow.
5. The exchange or transfer will not result in an increase in saline drainage to the San Joaquin River.
6. Prior to initiating any exchange or transfer not specifically listed above, DWR or Reclamation will provide SWRCB with a description of the proposed exchange or transfer for review and approval of a change in place of use.
7. DWR and Reclamation will develop, in coordination with SWRCB staff, a reporting plan that will account for all water exchanged or transferred under the provisions of any order approving the consolidated place of use. The reporting plan will include the parties to the exchange or transfer, how much water was transferred, how the water was made available, and the facilities required to affect the transfer.

General Information

The Amount of Water to be Exchanged/Transferred Would Have Been Consumptively Used or Stored in the Absence of the Transfer

Current allocations to SWP contractors are 20 percent of contractor requests. There will most likely be unmet demands throughout the irrigation season due to the current dry conditions in

2018. The projects proposed under this Petition, including any potential future projects meeting the criteria outlined above, involve water that is part of the SWP and/or CVP contractors 2018 allocated supplies diverted from the Delta consistent with all applicable regulatory requirements and exported from the basin in which it was developed, as well as local supplies made available through exchange with CVP or SWP 2018 allocated supplies. Some of the proposed exchanges result in more efficient storage and recovery of water from existing conjunctive use programs. The proposed exchanges include only allocated SWP and CVP water supplies and will not result in an increase in the allocations to any SWP or CVP contractors. In the absence of the proposed exchanges, the available water supplies would be consumptively used or stored in existing SWP or CVP surface storage or local groundwater storage facilities. The exchanges or transfers will allow agencies to recover previously stored water, or optimize the beneficial use of their existing limited water supplies.

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

The change in place of use requested by DWR and Reclamation will not result in any measurable changes to streamflow, water quality, timing of diversion or use, or return flows. There will be no impact to other legal users of water. The water to be exchanged or transferred is diverted out of the watershed from which it originates in conformance with the provisions of the respective DWR and Reclamation water rights permits and regulatory restrictions governing those diversions, including those contained in the Water Right Decision 1641 (D-1641) and the current Biological Opinions. There are no other legal users downstream of the points of diversion that would be affected by the exchanges.

The quantity and timing of diversions from the Delta will not change. The delivery rates from San Luis Reservoir may be slightly different. The scheduling of the deliveries will be coordinated between DWR and Reclamation so as not to adversely impact any SWP or CVP contractor deliveries. Adequate capacity in the California Aqueduct and in the Delta-Mendota Canal is available, and will not be adversely impacted as a result of the exchanges.

The exchanges will not result in a measurable change in quantity or quality of return flows. There will be no increase in either SWP or CVP allocations as a result of the proposed exchanges. There could be some shift in the timing of deliveries of SWP and CVP supplies south of the Delta, however this will not affect streamflow. All the water to be exchanged is water that would have been consumptively used or stored in the absence of the exchanges.

Exchanges similar to those proposed above were conducted in several previous years consistent with the SWRCB orders approving DWR's and Reclamation's Petitions for Change to consolidate the SWP and CVP places of use. No measurable effects on other legal users of water, fish and wildlife or the environment were noted from those transfers.

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

The change requested by DWR and Reclamation will not result in unreasonable impacts to fish and wildlife or the environment. The water was previously diverted out of the watershed from which it originates in conformance with the provisions of the respective DWR and Reclamation water rights permits and regulatory restrictions governing those diversions including those contained in D-1641 and the current Biological Opinions. There will be no change in the pumping schedule or the amount of SWP or CVP water diverted at the Banks or Jones. Therefore, there will be no change in flow or water quality conditions in the Delta. The transfers and exchanges are conducted south of the Delta and will not affect pumping from the Delta. All the water to be exchanged is water that would have been consumptively used or stored in the absence of the exchanges.

The exchanges will not result in a measurable change in quantity or quality of return flows. There will be no increase in either SWP or CVP allocations as a result of the proposed exchanges. There could be some shift in the timing of deliveries of SWP and CVP supplies south of the Delta, however this will not affect streamflow.

Exchanges like those proposed above have been implemented in previous years by both DWR and Reclamation. No measurable effects on other legal users of water, fish and wildlife or the environment were noted from those transfers. For the above reasons, DWR and Reclamation believe the facts support a finding that approval of this Petition would not result in injury to other legal water users or unreasonable impacts to the environment.