



State Water Resources Control Board

October 17, 2025

Levi Johnson
Operations Manager
Central Valley Operations Office
3310 El Camino Avenue, Suite 300
Sacramento, Ca 95821

Dear Mr. Johnson,

COMPLIANCE WITH DECISION 1641 SAN JOAQUIN RIVER FLOW REQUIREMENTS

This letter responds to the United States Bureau of Reclamation's (Reclamation) June 27, 2025, and July 24, 2025, letters to the State Water Resources Control Board (State Water Board or Board) notifying the Executive Director that the San Joaquin River flow requirements were not achieved in April, May, and June of 2025. The State Water Board assigned responsibility to Reclamation to meet the San Joaquin River flow requirements at Vernalis in Revised Water Right Decision 1641 (D-1641) as a condition of water right permits¹ for operation of New Melones Reservoir on the Stanislaus River, a tributary to the San Joaquin River.

Your letters identify Reclamation's calculations of the shortages in meeting the spring flow requirements, but do not address the pulse flow period. Attachment A includes State Water Board staff's calculations of the flow shortages that include the pulse flow period, along with an explanation of how these shortages were calculated. Reclamation reported that the average flows during the April spring flow period were 2,236 (cfs), 44 cfs lower than the requirement for the 18-day period. For the May spring flow period, Reclamation reported that the average flows were 2,177 cfs, 31 cfs lower than the requirement for the 12-day period. For both April and May, the 7-day running average flow requirement was met. Reclamation reported that the June monthly flow requirement was met but the 7-day running average requirement of 1,182 cfs was not met on 4 days from June 25 through June 28 by 79 cfs over the 4 days.

To remedy these compliance issues and the associated flow deficit for fish and wildlife, Reclamation should provide a compensatory volume of water, to make up for the flow deficits. These flows should be added to San Joaquin River flows at Vernalis in October 2025 if possible, or during the 2026 spring pulse flow period. The Board has calculated

¹ Permit numbers 16597 and 16600, Applications 1485A and 19304, respectively.

the flow deficit as 3,226 acre-feet as described further in Attachment A. The additional flows will contribute to favorable conditions for fish and wildlife and provide added benefits for San Joaquin River adult fall-run Chinook salmon during their upstream migration and spawning period. The State Water Board expects that Reclamation will comply with the existing base and pulse flow requirements in D-1641 that apply in October.²

If Reclamation anticipates that the October flow requirements will not be met, Reclamation must submit written notification to the State Water Board Executive Director as soon as possible as required by Condition 11(d) in D-1641, and Reclamation should explain why it is not feasible to comply with the flow requirements. As a reminder, transfers and the use of Joint Points of Diversion are subject to conditions that require full compliance with existing regulatory requirements, including D-1641 requirements.

If you have any questions regarding this matter, please contact Erin Foresman at erin.foresman@waterboards.ca.gov.

Sincerely,

A handwritten signature in black ink, appearing to read "Eric Oppenheimer". The signature is fluid and cursive, with a horizontal line extending from the end.

Eric Oppenheimer, Executive Director
State Water Board

cc:

bc:

² The October base and pulse flow requirements in D-1641 are estimated to be 1,456 cfs as a monthly average and 1,165 cfs as a 7-day running average.

Attachment A: Calculations of San Joaquin River Flow Shortages During April, May, and June of 2025

The D-1641 (page 184) San Joaquin River flow requirements during the February through June period are in place until the State Water Board implements the 2018 updates to the Bay-Delta Water Quality Control Plan. The D-1641 flow requirements in the months of February through June include “spring base flow” requirements (monthly and 7-day running average) that apply during the entire February through June period with the exception of a 31-day pulse flow period and “spring pulse flows” that apply during the 31-day pulse flow period (the default period is April 15 to May 15 but the 31-day average time period may be moved consistent with Footnote 14 of D-1641). The spring base flow requirements have been in place and the responsibility of Reclamation since D-1641 was adopted in 2000. Implementation of the spring pulse flow requirements was delayed during the effective period of the San Joaquin River Agreement, which provided for various parties on the San Joaquin River to provide experimental flows until 2011.

The State Water Board indicated by letter dated March 7, 2022, that Reclamation could either implement D-1641’s required spring base flows or alternatively meet the flows required by the 2018 update to the Bay-Delta Plan. Table 1 shows Board staff’s calculation of Reclamation’s shortfall in meeting D-1641 San Joaquin River flow requirements (calculations assume that the spring base flows apply during the pulse flow period). The application of the spring base flows to the spring pulse flow period results in flow requirements for April and May that differ from Reclamation’s flow calculation methodology. Reclamation’s methodology does not assume any D-1641 flow requirements during the pulse flow period so does not include any calculations of shortages in meeting flows during this period.

Table 1: February – June San Joaquin River Flows Deficit Calculation

Time Period	Monthly Flow Requirement	Observed Flow	Monthly Flow Deficit cfs	7-day Av Flow Deficit Range cfs, (# days)	Flow Deficit (acre-feet)
February	1,140	1,649	0		
March	2,280	2,947	0		
April	*2,280	2,267	13		758
May	*2,208	2,170	38	N/A	2,313
June	1,477	1,575	0	5 – 35 (4)	155
Total Flow Deficit (acre-feet)					3,226

*Does not include D-1641 spring pulse flow requirement.

The D-1641 spring pulse flow requirement was 5,480 cfs (12-day average) from April 19 – 30 and 5,461 cfs (19-day average) from May 1 – 19. The Board is not requesting that Reclamation make up the pulse flow volumes, but is requesting that Reclamation make up for the missing spring base flow water, which at a minimum should have been present during the spring pulse flow period.