
State Water Resources Control Board

NOTICE OF STAFF WORKSHOP

Possible Alternative Approaches to Address Water Supply Shortages in the Delta Watershed

State Water Resources Control Board (State Water Board or Board) staff will hold a technical workshop to receive input regarding possible alternative approaches to address severe water supply shortages in the Sacramento-San Joaquin Delta (Delta) watershed, including but not limited to a curtailment methodology similar to standard [water right Term 91](#). This will be an informational workshop only and no formal State Water Board action will be taken. The workshop will be held on:

Wednesday, December 15, 2021
10:00 a.m. – 4:00 p.m.
Remote Participation Only

PARTICIPATION INFORMATION

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 speak during the workshop.

If you wish to make oral comments during the workshop, you must fill out a virtual speaker card using the [online form](#) provided for this workshop. Workshop participants should submit their online forms by **noon on December 10, 2021**. Staff will respond to your form with the information needed to join the workshop via the Zoom online platform. You must submit an online form in order to be provided access to speak during the workshop. Comments should be technical in nature and limited to 5 minutes per speaker unless you request to make a presentation. Presentations will be limited to no more than 20 minutes. 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 PowerPoint presentation at the workshop, please indicate so on the online form. PowerPoint presentations are required to be submitted to Bay-Delta@waterboards.ca.gov no later than **noon on December 13, 2021**. 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 projecting and advancing PowerPoint slides during presentations. Speakers are encouraged to organize themselves as panels and should indicate that they are part of a panel, if applicable, on their online form. Only one online form should be submitted for each panel presentation, clearly identifying the names of all panelists.

E. JOAQUIN ESQUIVEL, CHAIR | EILEEN SOBECK, EXECUTIVE DIRECTOR

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.

BACKGROUND AND PURPOSE OF THE WORKSHOP

On August 3, 2021, the State Water Board approved an [emergency curtailment and reporting regulation](#) for the Delta watershed that authorizes the use of the [Water Unavailability Methodology for the Delta Watershed](#) to determine when curtailments of water rights should occur using available supply and water right demand data. The regulation was approved by the Office of Administrative Law on August 19, 2021, and curtailment and reporting orders were issued on August 20, 2021. The current regulation will be effective for up to one year and may be renewed (relying on the existing Water Unavailability Methodology), replaced with an alternate methodology, or repealed.

As part of the [August 3 State Water Board resolution](#) approving the regulation, the Board directed staff to engage with stakeholders to identify and explore other possible approaches other than the current Water Unavailability Methodology and associated regulation that could be developed and implemented to address severe water supply shortages and related concerns, including reservoir storage, minimum health and safety supplies, and maintaining salinity control in the Legal Delta. This could include a curtailment methodology similar to the standard water right Term 91 curtailment methodology that is currently included in more junior appropriative water right permits and licenses in the Delta watershed (with a priority date of approximately 1965 or later).

Prior to the workshop, State Water Board staff will provide a document for public review summarizing possible methods for developing a Term 91 like approach that could be implemented more broadly in the Delta watershed. Such an approach could apply to more senior water rights and claims, and could possibly work in place of the existing Water Unavailability Methodology that is currently used for evaluating whether a water right or claim of right should be curtailed. During the workshop, State Water Board staff will provide an overview of standard water right Term 91 and possible methods to apply this type of methodology more broadly.

TOPICS FOR DISCUSSION AT THE WORKSHOP

Stakeholders will be provided an opportunity to provide technical input on:

1. The possible development and implementation of Term 91 like curtailment methods to address water supply shortages in the Delta watershed during this drought, including topics identified in the forthcoming staff document.
2. Other near-term possible curtailment methods or other actions that should be considered if conditions remain dry.
3. Possible methods for determining shortages to riparian water right claimants in the event that natural supplies are inadequate to meet all riparian demands and correlative sharing of available supplies should occur.

RESOURCES

The above mentioned technical document explaining possible Term 91 like methodologies for curtailments in the Delta watershed will be posted on the State Water Board's [Delta Drought webpage](#) along with other information regarding drought in the Delta watershed. An email will be provided via the Board's email distribution list when this document is posted. 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.