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To: [Chris Austin](#)
Subject: Revised Order on Temporary Urgency Change Petition
Date: Friday, February 07, 2014 4:40:57 PM
Attachments: [revised_tucp_order.pdf](#)



This is a message from the State Water Resources Control Board.

NOTICE OF MODIFICATIONS TO ORDER APPROVING A TEMPORARY URGENCY CHANGE IN WATER RIGHT LICENSE AND PERMIT TERMS AND CONDITIONS OF THE DEPARTMENT OF WATER RESOURCES AND U.S. BUREAU OF RECLAMATION REQUIRING COMPLIANCE WITH DELTA WATER QUALITY OBJECTIVES IN RESPONSE TO DROUGHT CONDITIONS

On January 29, 2014, the Department of Water Resources (DWR) and the U.S. Bureau of Reclamation (Reclamation) jointly filed a Temporary Urgency Change Petition (TUCP) that requested the State Water Resources Control Board (State Water Board) to temporarily modify water right permit and license terms for the Central Valley Project and the State Water Project (Projects). Specifically, the TUCP requested temporary modification of conditions imposed pursuant to State Water Board Decision 1641 (D-1641) that require the Projects to meet water quality objectives established in the Water Quality Control Plan for the San Francisco Bay/Sacramento-San Joaquin Delta Estuary. The requested changes included modification of the required amount of Delta outflow, which would allow water to be conserved in reservoirs if the drought continues. The TUCP also requested flexible operation of the Delta Cross Channel gates, which would provide greater protection against sea water intrusion to the interior portion of the Delta while protecting fish populations.

On January 31, 2014, the Executive Director, acting under delegated authority, issued an Order approving the temporary change that does the following:

- Allows a reduced level of Delta outflow;
- Requires that water saved as a result of this action remain in storage to release later in the season for health and safety and as well as ecosystem protection;
- Requires DWR and Reclamation to update data on flows, storage, and water deliveries, and to communicate this to the State Water Board;
- Provides flexibility to DWR and Reclamation on operation of the Delta Cross Channel gates to ensure fresh water supplies are maintained and to minimize salinity intrusion from the San Francisco Bay system, and
- Limits Delta water exports strictly for public health and safety needs.

The State Water Board exercises continuing supervision over temporary urgency change orders, which are subject to modification or revocation at any time. Based on discussions during the Real-Time Drought Operations Management Team concerning current hydrological conditions, on February 7, 2014, the Executive Director added a provision to the Order, which provides that if precipitation events occur that enable DWR and Reclamation to comply with the Delta outflow and Delta Cross Channel gate closure

requirements contained in D-1641, then D-1641 requirements shall be operative, except that any SWP and CVP exports greater than 1500 cubic feet per second shall be limited to natural or abandoned flow.

As indicated in the State Water Board's Notice, interested persons have until noon on March 3, 2014 to file an objection to the Order. The State Water Board will be holding a workshop on February 18, continuing if necessary on February 19, 2014, to receive input on the Petition, Order, and other related matters. The workshop will not be an evidentiary hearing, and any comments on the Order will not be treated as testimony. If necessary, the State Water Board will hold an evidentiary hearing on any objections at a later date.

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