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February 6, 2015

TO: State Water Resources Control Board Members

RE: TEMPORARY URGENCY CHANGE PETITION (TUCP) related to Bay-Delta flow and water quality requirements during WY 2015 dry conditions

As a family farmer in Fresno and Merced Counties, California with a diversified cropping rotation of 8000 acres, I am VERY DISSAPOINTED with the SWRCB's staff decision relating to the TUCP noted above.

The California Department of Water Resources (DWR) and the U.S. Bureau of Reclamation (USBR) worked very hard on a joint operating plan that would have allowed for limited increases in export pumping at Jones and Banks pumping plants in the Delta under certain flow conditions. This plan, as laid out in the TUCP, could have increased water supply south of the Delta by approximately 2,000 Acre Feet per day without posing an unreasonable risk to threatened or endangered Salmon and Delta Smelt.

With the continued dry conditions throughout the state, this would have been a life-saver to famers such as myself, let alone help the entire state economy.

Not only did DWR and the USBR operators think this was a viable plan, but the various fishery agencies that the SWRCB staff looks to for professional guidance agreed with the TUCP based on their concurrent letters.

It's **INCOMPREHENSIBLE** that the State Board Staff can overrule the professional opinions of five state and federal agencies that are responsible for managing the water delivery facilities and ecosystems of the state.

As a taxpayer, water contractor and citizen of California I expect better from our state leaders. If you wait until your public hearing on February 18th to listen to our formal appeals and potentially make a change, you would have already lost approximately 38,000 Acre Feet of water based on certain weather patterns. **THAT IS UNACCEPTABLE**

**SHOW SOME LEADERSHIP AND FOCUS ON REVIEWING YOUR STAFF'S
DECISION AND WORK WITH THE AGENCIES NOTED ABOVE TO
IMPLEMENT THE TUCP AS SOON AS POSSIBLE**

James L. Nickel, President
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