

# Memorandum

Date: **MAR 20 2009**

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To: Ms. Victoria Whitney, Chief  
Division of Water Rights  
State Water Resources Control Board  
Post Office Box 2000  
Sacramento, California 95812-2000

From: Department of Water Resources

Subject: Petition for Change to Consolidate the State Water Project, Central Valley Project and Friant Authorized Places of Use

Enclosed for your review and consideration is the Department of Water Resources' (DWR) and the U.S. Department of the Interior's Bureau of Reclamation's (Reclamation) Petition for Change to consolidate the authorized place of use of the listed Reclamation permits and license to include the State Water Project (SWP) authorized place of use downstream of the Barker Slough and Harvey Banks Pumping Plants, and the DWR permits to include the Central Valley Project (CVP) and Friant authorized places of use downstream of the confluence of the Sacramento and Feather Rivers.

The changes are being requested to accomplish the directives contained in Governor Schwarzenegger's February 27, 2009, proclamation of a state of emergency addressing California's water shortage and Executive Order S-06-08 (Executive Order), issued June 4, 2008. The changes will allow DWR and Reclamation to more effectively and efficiently utilize the operational flexibility of the combined SWP and CVP facilities to facilitate water transfers and provide water to the combined SWP and CVP service areas to minimize the potential impacts of the current critical water shortage within California.

To combat the dire conditions, the Governor ordered immediate action to manage the crisis. The Governor's Proclamation directs State agencies to implement a range of activities such as the Drought Water Bank, intended to prevent, remedy, or mitigate the effects of the extreme drought emergency. Importantly, the proclamation directs DWR to, among other things, facilitate and expedite water transfers and related efforts by water users and suppliers.

The requested change will provide the operational flexibility the Projects need to assist in delivering water to areas with critical needs in the most efficient manner possible. Due to the extremely dry conditions, regulatory and operational constraints, and the impacts of the remedial actions imposed on SWP and CVP operations in the biological opinion for the protection of Delta Smelt, the allocation to the SWP water users is only 20 percent of requested demand. If the SWP 2009 allocation is not increased over the

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course of the year, this would represent the lowest allocation for Municipal and Industrial (M&I) contractors since the construction of the SWP. In addition, the allocation to CVP agricultural water service contractors south of the Delta is 0. As a result of the limited or non-existent SWP and CVP supplies, thousands of acres of agricultural land will be fallowed this year and cities across the state have imposed, or will soon impose, water rationing programs. Water transfers can provide supplemental supplies to mitigate to some degree the devastating crop losses or risks to human health and safety.

The combination of a critically dry year following two dry years, regulatory restrictions seriously curtailing the ability of the Projects to export water during this winter and spring, and the resulting adverse environmental, economic, and social impacts of the drought (conditions described in the Governor's Emergency Proclamation) has created the need for the requested change.

Also included are (1) a check for the \$27,625 fee to the State Water Resources Control Board, (2) a check for \$850 to the Department of Fish and Game.

If you have any questions or need additional information, please contact me, Nancy Quan of my staff at (916) 653-0190, or Ron Milligan, Operations Manager, Mid Pacific Region, Bureau of Reclamation at (916) 979-2180.



Robert B. Cooke, Chief  
State Water Project Analysis Office  
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Attachments

cc: (Attached list)

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