
From: Jon Rubin [<mailto:Jon.Rubin@sldmwa.org>]

Sent: Friday, April 15, 2016 4:05 PM

To: Carr, Chris@Waterboards; LHolm@USBR.Gov

Cc: Marcus, Felicia@Waterboards; Dadamo, Dorene@Waterboards; Doduc, Tam@Waterboards; Moore, Steven@Waterboards; Spivy-Weber, Frances@Waterboards; Howard, Tom@Waterboards; peltier, jason@sldmwa; Cheri Worthy; Frances Mizuno

Subject: Temporary Urgency Change Petition to Modify San Joaquin River Flow Requirements

Attached please find a letter providing the San Luis & Delta-Mendota Water Authority's comments on the above-referenced matter.

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April 15, 2016

State Water Resources Control Board
Division of Water Rights
Attn: Mr. Chris Carr
P.O. Box 2000
Sacramento, CA 95812-2000
Chris.Carr@WaterBoards.Ca.Gov

U.S. Bureau of Reclamation
Mid-Pacific Region, MP-440
Ms. Lisa Holm
2800 Cottage Way
Sacramento, CA 95825-1898
LHolm@USBR.Gov

Re: Temporary Urgency Change Petition to Modify San Joaquin River Flow Requirements

Mr. Carr and Ms. Holm:

The San Luis & Delta-Mendota Water Authority requests that the State Water Resource Control Board approve the United States Bureau of Reclamation's Temporary Urgency Change Petition (TUCP) to temporarily modify requirements in its water right permits for the New Melones Project. The change is in the public interest. It will allow Reclamation to provide reasonable protections for fish, wildlife, or other instream beneficial uses without injury to any other legal uses of the water involved.

Section 1435 of the Water Code authorizes approval of the TUCP, upon findings: (1) Reclamation has an urgent need to make the proposed change, (2) the proposed change may be made without injury to any other lawful user of water, (3) the proposed change may be made without unreasonable effect upon fish, wildlife, or other instream beneficial uses, and (4) the proposed change is in the public interest. In the TUCP and through information provided to the State Water Board, including at the workshop held on April 5, 2016, sufficient information is before the State Water Board to make each of those findings. The information shows that the change will support releases of previously stored water for the benefit of fish wildlife, or other instream beneficial uses.

Based on the same or similar information that is before the State Water Board, the

State Water Resources Control Board,
U.S. Bureau of Reclamation

National Marine Fisheries Service wrote:

NMFS concurs with Reclamation's conclusion that the benefit of the proposed augmented pulse flow outweighs the potential increase in entrainment risk in the south Delta.

April 14, 2016 letter from the National Marine Fisheries Service to the Bureau of Reclamation, as copy of which is attached here.

Thank you for the consideration of the Water Authority's comments.

Sincerely,



Jason Peltier
Executive Director