SUPPLEMENT TO 2016 PETITION FOR TEMPORARY CHANGE TO CONSOLIDATE THE SWP AND CVP AUTHORIZED PLACES OF USE

California Department of Water Resources

Application Number 14443, Permit 16479

U.S. Bureau of Reclamation Permits for the Central Valley Project

Application Numbers: 23, 234, 1465, 5626, 5628, 5638, 9363, 9364, 9368, 13370, 13371, 15374, 15375, 15764, 16767, 17374, 17376

License Number 1986 and Permit Numbers: 11885, 11886, 12721, 11967, 11887, 12722, 12723, 11315, 11316, 11968, 11969, 12860, 11971, 11973, 12364

Requested Change

The Department of Water Resources (DWR) and the United States Bureau of Reclamation (Reclamation) request that the State Water Resources Control Board (SWRCB) modify the permits listed above to temporarily change the authorized place of use of (1) the above Reclamation permits to include the State Water Project (SWP) authorized place of use downstream of Harvey O. Banks Pumping Plant (Banks) as shown on the maps on file with the SWRCB, and (2) the above DWR permit to include the Central Valley Project (CVP) authorized place of use downstream of Jones Pumping Plant (Jones) as shown on the maps on file with the SWRCB and as shown on the attached maps. The SWP and CVP authorized places of use are located within Fresno, Kern, Kings, Los Angeles, Merced, Orange, Riverside, San Benito, San Bernardino, San Diego, San Joaquin, Santa Clara, Stanislaus, Tulare, and Ventura Counties. DWR and Reclamation request that the above changes become effective on May 1, 2016 and remain in effect for one year from the date of any order approving this petition. The changes will allow DWR and Reclamation to more effectively and efficiently utilize the operational flexibility of the combined SWP and CVP facilities and water supply south of Banks and Jones. The operation flexibility will, in turn, help minimize to some extent the impacts to water users south of the Delta caused by unavailability of adequate SWP and CVP Project water supplies in 2016. The requested changes will facilitate the delivery of available Project supplies south of the Delta[1] and maximize the beneficial use of available supplies within areas experiencing significant water supply shortages. Approval of the petition will not increase the quantity or alter the timing of diversions from the Delta or San Joaquin River.

[1] Available SWP and CVP supplies include approved 2016 allocations as well as any project water carried over from prior years.

Reason for the Requested Changes

The past four years represented the driest four year period recorded in California, with 2015 having by far the lowest snowpack ever recorded. Project storage was severely depleted due to the critically dry conditions. While many areas of California received normal or above normal amounts of rain in December 2015 and January 2016, February 2016 was extremely dry which caused the statewide snowpack levels to drop below normal. Precipitation and snowpack has increased in March but the snowpack in the central and southern Sierra remain below average. The extremely low initial Project storage and low south of Delta storage affected the initial allocations to SWP contractors in 2016. The current allocation to SWP contractors is 45 percent of their requested Table A amounts. Reclamation has not yet made its initial contract allocations and continues to assess the water supply conditions and potential restrictions on CVP operations. CVP agricultural contractors anticipate significant reductions in available 2016 supply downstream of the Delta.

Water supply conditions are classified as “Dry” for the Sacramento River and San Joaquin River basins as of the March 1, 2016 forecast at the 50 percent probability of exceedence. Forecasts for Water Year 2016 indicate California will continue to experience drought conditions due to the effects of the historically dry conditions preceding 2016. Although the early March precipitation has raised the Northern Sierra 8-station, San Joaquin 5-Station and Tulare 6-stationIndices to above average for this time of year, reservoir storage levels continue to remain below normal for many major storage reservoirs in the state. The U.S. Drought Monitor March 22, 2016 update continues to classify significant portions of the state in extreme or exceptional drought conditions, including much of the Sacramento Valley and all of the San Joaquin Valley.

The requested change is necessary to help alleviate to some extent the impacts of the water shortages to users within the SWP and CVP service areas downstream of the Delta pumping facilities, and to facilitate the most efficient use of the limited Project water that is available. The change will not result in the diversion of additional water from the Delta, a change in timing of diversions or the delivery of more water to any individual SWP or CVP contractor than has been delivered historically. Instead, the requested change will provide the operational flexibility the Projects need to get available supplies where they are needed most and in the most efficient manner possible.

Proposed Projects Requiring A Change in Authorized Place of Use

All exchanges covered by this petition will occur south of the Delta and total amount of water transferred will not exceed **305,820 acre-feet**. The following exchanges are proposed by SWP and CVP contractors south of the Delta to alleviate anticipated water supply shortages. In all cases the water supply of the receiving agency will not exceed historic deliveries.

Santa Clara Valley Water District

Santa Clara Valley Water District (SCVWD) contracts for a water supply from both the SWP and CVP. The SWP water is delivered through the South Bay Aqueduct (SBA) and the CVP water is delivered from San Luis Reservoir through the San Felipe Division. In 2016 and 2017, there are several operational and maintenance issues that may require the delivery of the SCVWD's CVP or SWP supplies through an exchange. Also in 2016 and 2017, to better utilize its limited drought year supplies, SCVWD may need to recover previously stored CVP water from Semitropic Water Storage District (SWSD) by exchange. Up to **25,000 acre-feet** of the SCVWD's CVP, SWP, and/or previously stored CVP supplies may require delivery through these alternative conveyance approaches. The need for this flexibility is described in more detail below:

Operational Issues Limiting Delivery of CVP Water Through San Felipe Unit

Based on historic operating conditions, total storage in San Luis Reservoir may drop to levels that result in operational and/or water quality problems. When this occurs, SCVWD's pumping capacity through the San Felipe Division can be limited, potentially impacting the ability to meet SCVWD demands. In addition, low water levels can result in reduced water quality causing water treatment problems which could result in severe reductions in the quantity of CVP supplies conveyed through the San Felipe Division, as well as increased water treatment costs. Another issue is the aging infrastructure on the San Felipe Division, which could result in both planned and unplanned facility shutdowns for maintenance and repair. In addition to San Luis Reservoir water level issues and potential infrastructure repairs, the following may limit SCVWD's ability to receive water through the San Felipe Division and therefore, may require delivery of SCVWD's CVP water through an exchange with the SWP: 1) work at Pacheco Pumping Plant, including a two-day shutdown sometime between November 2016 and March 2017; (2) work on SCVWD-maintained facilities, including shutdown of the Santa Clara Tunnel and Calero Bypass Pipeline, which is a major raw water pipeline, scheduled from January 2017 to March 2017. Given the current drought, SCVWD may also need to move CVP water through the SBA by exchange in order to balance its operations if there is insufficient SWP water moving through the SBA. Reclamation and DWR are therefore requesting approval to exchange CVP and SWP water to allow SCVWD's

CVP water to be pumped at Jones and delivered to DWR at O'Neill Forebay for use within the SWP service area south of O'Neill, and in exchange, an equal amount of SWP water would be pumped at Banks and delivered through the SBA. The proposed exchange would not increase the total amount of CVP or SWP water allocated to SCVWD by DWR or Reclamation.

Operational Issues Limiting Delivery of SWP Water Through South Bay Aqueduct

Possible shutdowns on the SBA as well as within SCVWD's service area may prevent deliveries of SWP water through the SBA. Outages at Banks could limit SCVWD's ability to receive water through the SBA during this time. Work at SCVWD's Penitencia Water Treatment Plant, currently scheduled for winter 2016 to spring 2017, including a 7-month shut down, will limit SCVWD's ability to utilize SWP supplies from the SBA. In addition, SCVWD's aging infrastructure may require unplanned shutdowns that limit the ability to receive SWP water through the SBA. Given the current drought, SCVWD may also need to move SWP water through the San Felipe Division by exchange in order to balance its operations if there is insufficient CVP water moving through the San Felipe Division. Reclamation and DWR are requesting an exchange of CVP and SWP water to allow the delivery of SCVWD's SWP through an exchange with the CVP. SWP water would be pumped at Banks and delivered to the CVP at O'Neill Forebay for use within the CVP service area south of O'Neill Forebay. In exchange, an equal amount of CVP water would be pumped at Jones and delivered to SCVWD through the San Felipe Division. The proposed exchange would not increase the total amount of CVP or SWP water allocated to SCVWD by DWR or Reclamation.

Recovery of Previously Banked CVP Water

SCVWD has previously banked CVP water supplies in the SWSD groundwater bank. Recovery of the stored CVP water must be accomplished by exchange. In order to return the previously stored CVP water to SCVWD, SWSD will either pump the water into the California Aqueduct and deliver that water to DWR for use within the SWP service area south of SWSD's turn-in facilities, or use SCVWD's previously stored water within its own service area. In exchange, an equal amount of SWP water would be delivered to SCVWD through either the SBA and/or the San Felipe Division from San Luis Reservoir. Delivery of SCVWD's previously banked water through the San Felipe Division may take place by an exchange of SWP supplies pumped at Banks pumping plant and delivered to the CVP at O'Neill Forebay for delivery to CVP users south of O'Neill, in exchange for CVP supplies delivered to SCVWD from San Luis Reservoir and through the San Felipe Division.

The added flexibility provided by the proposed exchanges will allow SCVWD to manage operational and maintenance uncertainties on both the San Felipe Division and the SBA, and allow SCVWD to recover previously stored CVP water from SWSD by exchange. Approval of the petition will allow the continued delivery of water to SCVWD and provide operational flexibility, thus minimizing negative impacts to the economy of the SCVWD service area, water levels within the region's groundwater basin, and local environmental resources.

Oak Flat Water District/Del Puerto Water District Exchange

Oak Flat Water District (OFWD), a SWP contractor, and Del Puerto water District (DPWD), a CVP contractor, are adjacent districts located north of San Luis Reservoir in San Joaquin, Stanislaus and Merced Counties. The districts share common landowners. Landowners with water supplies from both projects have requested the ability to optimize the application of available supplies on their combined properties.

Exchange of Allocated SWP and CVP Supplies

The proposed exchange would allow the delivery of **up to 1,000 acre-feet** of the landowners' CVP supplies through SWP turnouts on the California Aqueduct to lands within DPWD, delivery of a portion of their CVP supply to lands within OFWD and delivery of a portion of their SWP supplies through CVP turnouts on the Delta Mendota Canal to lands within DPWD. The proposed exchanges would result in no increase in total SWP or CVP allocations to either district.

Delivery of Allocated CVP Water Through SWP Turnouts

In addition to the transfer above, OFWD and DPWD propose an even exchange to allow the delivery of **up to 2,000 acre-feet** of DPWD's CVP water. A portion of the lands within DPWD adjacent to OFWD are more efficiently served from OFWD's turnouts on the California Aqueduct. DPWD proposes to deliver a portion of its CVP supply to the lands adjacent to OFWD through an even exchange with the SWP. Up to 2,000 acre-feet of SWP water will be delivered through the OFWD turnouts on the California Aqueduct. An equal amount of CVP water will be delivered to the SWP at O'Neill Forebay. The exchange will not result in any increase in pumping from the Delta by either the SWP or CVP. There will be no increase in total deliveries to DPWD.

Kern County Water Agency – Kern Tulare Water District Exchange

Cross Valley Canal Water Exchange

Kern County Water Agency (KCWA) is a SWP contractor with numerous member units within Kern County. Kern-Tulare Water District (KTWD) is a CVP contractor located in Kern County with a contract for CVP water through the Cross Valley Canal (CVC). Due

to limited capacity at Jones, conveyance of CVP-CVC water through SWP facilities is often required to affect deliveries to the CVC contractors. DWR and Reclamation have an agreement to pump CVC water at Banks for delivery to the CVC when operational capacity is available. As a result of projected hydrologic conditions and anticipated operational restrictions, it is possible there will be no ability to move CVC water through Jones or Banks until fall 2016. In order to assist KTWD in meeting peak irrigation demands this summer, KCWA is willing to provide up to **20,000 acre-feet** of its SWP water to KTWD through the summer months. In exchange, KTWD is willing to provide an equivalent amount of CVP-CVC water to KCWA in the fall for delivery to KCWA member units. KTWD is within the SWP place of use; however several of the KCWA member units to receive the fall CVP water are outside the CVP place of use. The exchange will not result in an increase in allocations or deliveries to either district.

San Joaquin River Exchange Contractors Exchange

The San Joaquin River Exchange Contractors (Exchange Contractors), which include Central California Irrigation District, Firebaugh Canal Water District, San Luis Canal Company and Columbia Canal Company, executed an exchange agreement with the Reclamation whereby Reclamation, following the construction of Friant Dam, provides water to the Exchange Contractors from the Sacramento-San Joaquin Delta (Delta) in exchange for water historically diverted from the San Joaquin River (Exchange Agreement).

Due to the current hydrologic and regulatory conditions, Reclamation anticipates that that 650,000 to 840,000 acre-feet of the Exchange Contractor's water supply can be delivered in 2016 pursuant to the 1967 Second Amended Exchange Contract (Contract No. Ilr-1144r). However, there is a possibility that only a portion of this will be made available from the Delta. As a result, Reclamation may provide San Joaquin River water from Millerton Lake to the Exchange Contractors. Deliveries to the Exchange Contractors from Millerton Lake to the Mendota Pool result in significant conveyance losses in the San Joaquin River channel.

To make the most efficient use of the severely limited contract supplies, and generate additional supply, KTWD has proposed to exchange water supplies it has available in San Luis Reservoir for a portion of the San Joaquin River water that would otherwise be subject to release by Reclamation from Millerton Lake into the San Joaquin River channel for delivery to the Exchange Contractors at Mendota Pool.

Under the exchange, up to **47,920 acre-feet** of San Joaquin River water will be released from Millerton Lake into the Friant-Kern Canal for delivery to KTWD and up to 34,500 acre-feet of KTWD's water supplies it has available in San Luis Reservoir would be delivered to the Exchange Contractors at the Mendota Pool via the Delta-Mendota

Canal. The quantity of water released from Millerton Lake to KTWD through the Friant-Kern Canal is the quantity of water that Reclamation would be required to release from Millerton Lake to deliver the 34,500 acre-feet of water to the Exchange Contractors from the San Joaquin River due to the high conveyance losses. Delivery of the KTWD supplies from San Luis Reservoir to the Exchange Contractors avoids the high conveyance losses, making more efficient use of the available supplies. Delivery of the KTWD water supplies available in San Luis Reservoir to the Exchange Contractors will be accomplished through a combination of exchanges between KTWD and KCWA.

Arvin-Edison WSD/Metropolitan Water District Program

Groundwater Banking

Metropolitan Water District of Southern California (MWDSC) stores a portion of its SWP supply in the Arvin-Edison Water Storage District (AEWSD), a CVP contractor, groundwater banking facilities depending on annual allocations. When requested, AEWSD is obligated to return previously banked SWP water to MWDSC. In the absence of this proposed exchange, previously banked SWP water can only be recovered from AEWSD banking facilities through groundwater extraction. The expansion of the CVP place of use will allow AEWSD the option and flexibility to return MWDSC's banked water through an exchange of its available CVP Delta/San Luis Reservoir, or Friant surface supplies (CVP water supplies). The exchange will allow AEWSD greater flexibility in the scheduling and use of its CVP supplies as well as a reduction in energy and costs associated with the groundwater extraction. The ability for AEWSD to return surface water through exchange would enhance the water quantity, water quality, and timing of water returned to MWDSC. CVP water supplied to MWDSC by AEWSD in lieu of extraction to recover previously stored SWP water will result in a balanced exchange or bucket-for-bucket (one-for-one) reduction of MWDSC's groundwater banking account with AEWSD. The exchange will occur only to the extent MWDSC has a positive bank account. Upon return of water to MWDSC, an equivalent amount of MWDSC's previously banked SWP water would transfer to AEWSD.

Regulation Program

Additionally, the requested change would allow AEWSD to deliver CVP water supplies to MWDSC in exchange for SWP water supplies provided at a later time. The exchange facilitates more efficient use of AEWSD CVP water supplies that have a limited opportunity for direct use due to the timing of availability. MWDSC has the ability to take direct delivery of AEWSD's CVP water supplies and return SWP water supplies to AEWSD at a future time in order to enhance AEWSD's ability to match surface water supply to grower demands. In the absence of the exchange, AEWSD would need to recharge the available CVP supplies and subsequently extract groundwater for delivery

to its growers, increasing delivery costs and energy usage. This exchange would also be a balanced or bucket-for-bucket (one-for-one) exchange.

Carryover Program

In the event that hydrologic conditions could result in a limited ability to carry over AEWSD 2016 CVP water supplies in CVP reservoirs, AEWSD CVP water would be directly delivered to MWDSC to reduce risk of spill and potential loss of water supplies. The CVP water would be delivered to MWDSC either by exchange in San Luis Reservoir or directly into the California Aqueduct via the Friant Kern Canal and AEWSD facilities. MWD is willing to provide water management services to assist in regulating the available contract supplies. MWDSC would return an agreed upon amount of water (for example, MWDSC could be required to return 2 acre-feet for every 3 acre-feet regulated) to AEWSD. The unbalanced nature of the exchange reflects the compensation to MWDSC for the water management provided. In the absence of the exchange with MWDSC, AEWSD would deliver the maximum amount of available CVP supplies to groundwater banking programs within the AEWSD service area or other areas that are within the CVP place of use.

The benefits of the above proposed exchanges provide, among other things, offsets to the impacts to AEWSD of the San Joaquin River Restoration Program by increasing AEWSD's ability to efficiently use water supplies and by increasing the opportunities to complete the return of SJRRP releases to AEWSD. In addition, the exchange could result in a reduction in energy and banking costs associated with groundwater recharge and extraction.

The proposed exchanges described above would total up to **150,000 af** of CVP water for all three programs described above. CVP Delta supplies will be pumped from the Delta export facilities on the same schedule and in the same quantities with or without the exchanges. Friant Division CVP water would be provided directly to the California Aqueduct via delivery from the Friant-Kern Canal and AEWSD's distribution system, including its connections to the California Aqueduct at Milepost 227 (Reach 14C) or via its capacity in the Cross Valley Canal to the California Aqueduct at Tupman/Milepost 238 (Reach 12E).

Kern County Water Agency to Westlands Water District

Semitropic Water Storage District Recovery

KCWA proposes to deliver up to **16,000 af** of its allocated SWP water to lands within Westlands Water District (Westlands) to facilitate the delivery of Westlands' previously stored CVP water in the SWSD. The landowner, Poso Creek LLC, has agricultural operations in both KCWA and Westlands and has both SWP and CVP contract

supply. The landowner has banked CVP water in SWSD. The landowner plans to recover up to 16,000 af of their previously stored CVP water. Delivery of the CVP water currently stored in SWSD will be accomplished through exchange. KCWA will deliver up to 16,000 af of SWP water to Westlands turnouts on the joint use facilities. An equivalent amount of the landowner's water stored in SWSD will be transferred to KCWA.

CVP and Lower Kern River Water Recovery - Nickel Water

KCWA also proposes to provide **up to 7,600 acre-feet** of its SWP water to Westlands to facilitate the delivery of Lower Kern River water purchased by Westlands from Nickel Family LLC. Up to 7,600 acre-feet of Lower Kern River water previously stored in SWSD will be assigned to KCWA. The exchange will be a one for one exchange. The KCWA SWP Table A water will be delivered to Westlands's turnouts on the joint-use facilities.

Department of Veteran Affair's – San Joaquin Valley National Cemetery

The Department of Veteran Affairs – San Joaquin Valley National Veterans Cemetery (Cemetery) contracts with Reclamation for **up to 850 acre-feet** of CVP supply. The Cemetery is located near Reach 2B on the California Aqueduct (north of O'Neill Forebay). Reclamation is unable to directly convey CVP water to the cemetery. The Consolidated Place of Use would allow DWR to deliver up to 850 af of SWP water to the Cemetery in exchange for an equivalent amount of CVP water delivered by Reclamation to DWR at O'Neill Forebay.

Musco Olive Products Inc.

Byron Bethany Irrigation District (BBID) contracts with Reclamation for a water supply from the CVP. BBID provides **up to 450 acre-feet** per year under contract to Musco Olive Product Inc. (Musco). Musco is not connected to Reclamation's or BBID's distribution system. Neither BBID nor Reclamation can physically convey CVP water to Musco. Musco is located near SWP Reach 2A on the California Aqueduct (north of O'Neill Forebay). The Consolidated Place of Use will allow DWR to deliver up to 450 acre-feet of SWP water to Musco for BBID in exchange for an equivalent amount of CVP water delivered by Reclamation to DWR at O'Neill Forebay.

Tulare Lake Basin Water Storage District – Westlands Water District/San Luis Water District

Due to the current hydrologic conditions and regulatory restrictions, Westlands and San Luis Water District (San Luis) anticipate significant restrictions on the amount of 2016 CVP water available to Agricultural contractors downstream of Jones. Growers within

Westlands and San Luis will execute an agreement with J. G. Boswell Company (Boswell), a local landowner within Tulare Lake Basin Water Storage District (TLBWSD), for the purchase of up to **35,000 acre-feet** of Boswell's pre-1914 Kings River water. TLBWSD proposes to facilitate the transfer of the Boswell Kings River water to Westlands and San Luis by transferring up to 35,000 acre-feet of its SWP water to Westlands and San Luis in exchange for up to 35,000 acre-feet of Boswell's pre-1914 Kings River water. TLBWSD's SWP water in San Luis Reservoir will be conveyed through the California Aqueduct and delivered to the growers within Westlands and San Luis. The exchange will be completed by April 30, 2017.

Potential Additional Transfers/Exchanges

The above transfers include all the specific transfers anticipated as of the date of this petition. However, because of the reduced water supply allocations, SWP and CVP contractors continue to explore all possible opportunities to retrieve previously stored Project supplies and optimize the delivery (quantity and timing) of their limited supplies from all available sources. DWR and Reclamation anticipate that as we move into the summer more needs and opportunities for exchanging SWP and CVP water may be developed. DWR and Reclamation request that any order approving this petition to consolidate the SWP and CVP places of use south of the Delta, include the approval of potential future projects that meet certain specific criteria. In order to allow the SWRCB to make the findings required by Water Code Section 1725, any project not specifically detailed above would be required to meet the following criteria:

1. The transfer or exchange would not result in any increase in the amount of water diverted from the Delta. The water to be exchanged would be part of any available Project allocations, water currently stored in San Luis Reservoir, or previously placed in groundwater storage south of the Delta.
2. The water to be exchanged or transferred would have been consumptively used or stored in the absence of the transfer.
3. The total quantity of water delivered to SWP or CVP contractors as a result of the change will not exceed historic average deliveries.
4. The transfer or exchange will not result in the net loss of San Joaquin River or Sacramento River flow.
5. The transfer or exchange will not result in an increase in saline drainage to the San Joaquin River.
6. Prior to initiating any transfer or exchange not specifically listed above, DWR or Reclamation will provide the SWRCB with a description of the proposed transfer or exchange for review and approval of a change in place of use.
7. DWR and Reclamation will develop, in coordination with SWRCB staff, a reporting plan that will account for all water transferred or exchanged under the provisions of any order approving the consolidated place of use. The reporting

plan will include the parties to the transfer or exchange, how much water was to transferred, how the water was made available, and the facilities required to affect the transfer.

General Information

The Amount of Water to be Transferred/Exchanged Would Have Been Consumptively Used or Stored in the Absence of the Transfer

Current allocations to SWP contractors are only 45 percent of contractor requests. CVP agricultural contractors south of the Delta anticipate significant reductions in available 2016 CVP contract supplies. Many contractors will have unmet demands throughout the irrigation season even with the benefit of the exchanges facilitated by this petition. SWP and CVP contractors are evaluating every feasible option to minimize the impacts to valuable permanent crops. The projects proposed under this petition, including any potential future projects meeting the criteria outlined above, involve water that is part of the SWP and/or CVP contractors 2016 allocated supplies which were diverted from the Delta consistent with all applicable regulatory requirements and exported from the basin in which it was developed, as well as local supplies made available through exchange with CVP or SWP 2016 allocated supplies. In light of the water supply shortages the water that would be exchanged as described above would clearly be consumptively used or stored in the absence of the proposed exchanges or transfers. The exchanges or transfers will allow agencies experiencing significant water supply restrictions to recover previously stored water, or optimize the beneficial use of their existing limited water supplies.

Analysis of Potential Changes in Streamflow, Water Quality, Timing of Diversions or Use, Return Flows, or Effects on Legal Users

The change in place of use requested by DWR and Reclamation will not result in any measurable changes to streamflow, water quality, timing of diversion or use, or return flows. There will be no impact to other legal users of water. The water to be transferred or exchanged is diverted out of the watershed from which it originates in conformance with the provisions of the respective DWR and Reclamation water rights permits and regulatory restrictions governing those diversions, including those contained in D-1641 and the current Biological Opinions. There are no other legal users downstream of the points of diversion that would be affected by the exchanges.

The quantity and timing of diversions from the Delta will not change. The delivery rates from San Luis Reservoir may be slightly different. The scheduling of the deliveries will be coordinated between DWR and Reclamation so as not to adversely impact any SWP or CVP contractor deliveries. Adequate capacity in the California Aqueduct and in the

Delta Mendota Canal is available, and will not be adversely impacted as a result of the exchanges.

The exchanges will not result in a measurable change in quantity or quality of return flows. There will be no increase in either SWP or CVP allocations as a result of the proposed exchanges. There could be some shift in the timing of deliveries of SWP and CVP supplies. All the water to be exchanged is water that would have been consumptively used or stored in the absence of the exchanges. Exchanges similar to those proposed above were conducted in several previous years consistent with the SWRCB orders approving DWR's and Reclamation's Petitions for Change to consolidate the SWP and CVP places of use. No measureable effects on other legal users of water, fish and wildlife or the environment were noted from those transfers.

The Transfer Will Not Result in Unreasonable Impacts to Fish and Wildlife or the Environment

The change requested by DWR and Reclamation will not result in unreasonable impacts to fish and wildlife or the environment. The water was previously diverted out of the watershed from which it originates in conformance with the provisions of the respective DWR and Reclamation water rights permits and regulatory restrictions governing those diversions including those contained in D-1641 and the current Biological Opinions. There will be no change in the pumping schedule or the amount of SWP or CVP water diverted at the Banks or Jones. Therefore, there will be no change in flow or water quality conditions in the Delta. The transfers and exchanges are conducted south of the Delta and will not affect pumping from the Delta. All the water to be exchanged is water that would have been consumptively used or stored in the absence of the exchanges.

The exchanges will not result in a measurable change in quantity or quality of return flows. There will be no increase in either SWP or CVP allocations as a result of the proposed exchanges. There could be some shift in the timing of deliveries of SWP and CVP supplies south of the Delta, however this will not affect streamflow.

Exchanges similar to those proposed above have been implemented in previous years by both DWR and Reclamation. No measureable effects on other legal users of water, fish and wildlife or the environment were noted from those transfers. For the above reasons, DWR and Reclamation believe the facts support a finding that approval of this Petition would not result in injury to other legal water users or unreasonable impacts to the environment.