

State of California
State Water Resources Control Board
DIVISION OF WATER RIGHTS
P.O. Box 2000, Sacramento, CA 95812-2000
Tel: (916) 341-5300 Fax: (916) 341-5400
<http://www.waterboards.ca.gov/waterrights>

ENVIRONMENTAL INFORMATION FOR PETITIONS

This form is required for all petitions.

Before the State Water Resources Control Board (State Water Board) can approve a petition, the State Water Board must consider the information contained in an environmental document prepared in compliance with the California Environmental Quality Act (CEQA). This form is not a CEQA document. If a CEQA document has not yet been prepared, a determination must be made of who is responsible for its preparation. As the petitioner, you are responsible for all costs associated with the environmental evaluation and preparation of the required CEQA documents. Please answer the following questions to the best of your ability and submit any studies that have been conducted regarding the environmental evaluation of your project. If you need more space to completely answer the questions, please number and attach additional sheets.

DESCRIPTION OF PROPOSED CHANGES OR WORK REMAINING TO BE COMPLETED

For a petition for change, provide a description of the proposed changes to your project including, but not limited to, type of construction activity, structures existing or to be built, area to be graded or excavated, increase in water diversion and use (up to the amount authorized by the permit), changes in land use, and project operational changes, including changes in how the water will be used. For a petition for extension of time, provide a description of what work has been completed and what remains to be done. Include in your description any of the above elements that will occur during the requested extension period.

See Attachment 1 - Description of Requested Changes and Attachment 2 - Supplemental Information for Temporary Urgency Change Petition.

Insert the attachment number here, if applicable:

Coordination with Regional Water Quality Control Board

For change petitions only, you must request consultation with the Regional Water Quality Control Board regarding the potential effects of your proposed change on water quality and other instream beneficial uses. (Cal. Code Regs., tit. 23, § 794.) In order to determine the appropriate office for consultation, see: http://www.waterboards.ca.gov/waterboards_map.shtml. Provide the date you submitted your request for consultation here, then provide the following information.

Date of Request

02/12/2014

Will your project, during construction or operation, (1) generate waste or wastewater containing such things as sewage, industrial chemicals, metals, or agricultural chemicals, or (2) cause erosion, turbidity or sedimentation?

Yes No

Will a waste discharge permit be required for the project?

Yes No

If necessary, provide additional information below:

Insert the attachment number here, if applicable:

Local Permits

For temporary transfers only, you must contact the board of supervisors for the county(ies) both for where you currently store or use water and where you propose to transfer the water. (Wat. Code § 1726.) Provide the date you submitted your request for consultation here.

Date of Contact

For change petitions only, you should contact your local planning or public works department and provide the information below.

Person Contacted: Date of Contact:

Department: Phone Number:

County Zoning Designation:

Are any county permits required for your project? If yes, indicate type below. Yes No

Grading Permit Use Permit Watercourse Obstruction Permit

Change of Zoning General Plan Change Other (explain below)

If applicable, have you obtained any of the permits listed above? If yes, provide copies. Yes No

If necessary, provide additional information below:

Insert the attachment number here, if applicable:

Federal and State Permits

Check any additional agencies that may require permits or other approvals for your project:

- Regional Water Quality Control Board Department of Fish and Game
- Dept of Water Resources, Division of Safety of Dams California Coastal Commission
- State Reclamation Board U.S. Army Corps of Engineers U.S. Forest Service
- Bureau of Land Management Federal Energy Regulatory Commission
- Natural Resources Conservation Service

Have you obtained any of the permits listed above? If yes, provide copies. Yes No

For each agency from which a permit is required, provide the following information:

Agency	Permit Type	Person(s) Contacted	Contact Date	Phone Number

If necessary, provide additional information below:

1. Governor's Drought Declaration , condition 9, issued January 17, 2014 suspending CEQA compliance (See attachment 3 - Governor's Proclamation)

2. Notice of Exemption filed February 11, 2014, as attachment 4.

Insert the attachment number here, if applicable:

Construction or Grading Activity

Does the project involve any construction or grading-related activity that has significantly altered or would significantly alter the bed, bank or riparian habitat of any stream or lake? Yes No

If necessary, provide additional information below:

Insert the attachment number here, if applicable:

Archeology

Has an archeological report been prepared for this project? If yes, provide a copy. Yes No

Will another public agency be preparing an archeological report? Yes No

Do you know of any archeological or historic sites in the area? If yes, explain below. Yes No

If necessary, provide additional information below:

1. Governor's Drought Declaration , condition 9, issued January 17, 2014 suspending CEQA compliance (See attachment 3 - Governor's Proclamation)

Insert the attachment number here, if applicable:

Photographs

For all petitions other than time extensions, attach complete sets of color photographs, clearly dated and labeled, showing the vegetation that exists at the following three locations:

- Along the stream channel immediately downstream from each point of diversion
- Along the stream channel immediately upstream from each point of diversion
- At the place where water subject to this water right will be used

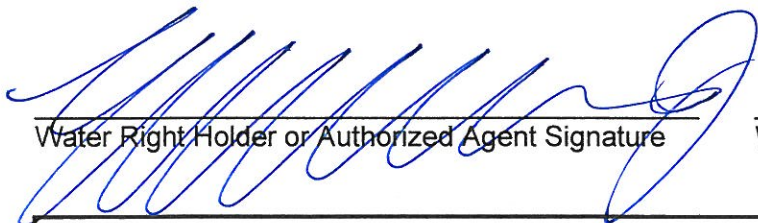
Maps

For all petitions other than time extensions, attach maps labeled in accordance with the regulations showing all applicable features, both present and proposed, including but not limited to: point of diversion, point of rediversion, distribution of storage reservoirs, point of discharge of treated wastewater, place of use, and location of instream flow dedication reach. (Cal. Code Regs., tit. 23, §§ 715 et seq., 794.)

Pursuant to California Code of Regulations, title 23, section 794, petitions for change submitted without maps may not be accepted.

All Water Right Holders Must Sign This Form:

I (we) hereby certify that the statements I (we) have furnished above and in the attachments are complete to the best of my (our) ability and that the facts, statements, and information presented are true and correct to the best of my (our) knowledge. Dated at .



Water Right Holder or Authorized Agent Signature

Water Right Holder or Authorized Agent Signature

NOTE:

- **Petitions for Change** may not be accepted unless you include proof that a copy of the petition was served on the Department of Fish and Game. (Cal. Code Regs., tit. 23, § 794.)
- **Petitions for Temporary Transfer** may not be accepted unless you include proof that a copy of the petition was served on the Department of Fish and Game and the board of supervisors for the county(ies) where you currently store or use water and the county(ies) where you propose to transfer the water. (Wat. Code § 1726.)



Office of Governor
Edmund G. Brown Jr.



FOR IMMEDIATE RELEASE:

Friday, January 17, 2014

Contact: Governor's Press Office

(916) 445-4571

Governor Brown Declares Drought State of Emergency

Calls for Conservation Statewide, Directs State to Manage Water for Drought

SAN FRANCISCO – With California facing water shortfalls in the driest year in recorded state history, Governor Edmund G. Brown Jr. today proclaimed a State of Emergency and directed state officials to take all necessary actions to prepare for these drought conditions.

“We can’t make it rain, but we can be much better prepared for the terrible consequences that California’s drought now threatens, including dramatically less water for our farms and communities and increased fires in both urban and rural areas,” said Governor Brown. “I’ve declared this emergency and I’m calling all Californians to conserve water in every way possible.”

In the State of Emergency declaration, Governor Brown directed state officials to assist farmers and communities that are economically impacted by dry conditions and to ensure the state can respond if Californians face drinking water shortages. The Governor also directed state agencies to use less water and hire more firefighters and initiated a greatly expanded water conservation public awareness campaign (details at saveourh2o.org).

In addition, the proclamation gives state water officials more flexibility to manage supply throughout California under drought conditions.

State water officials say that California’s river and reservoirs are below their record lows. Manual and electronic readings record the snowpack’s statewide water content at about 20 percent of normal average for this time of year.

The Governor’s drought State of Emergency follows a series of actions the administration has taken to ensure that California is prepared for record dry conditions. In May 2013, Governor Brown issued an Executive Order to direct state water officials to expedite the review and processing of voluntary transfers of water and water rights. In December, the Governor formed a Drought Task Force to review expected water allocations, California’s preparedness for water scarcity and whether conditions merit a drought declaration. Earlier this week, the Governor toured the Central Valley and spoke with growers and others impacted by California’s record dry conditions.

The full text of the emergency proclamation is below:

A PROCLAMATION OF A STATE OF EMERGENCY

WHEREAS the State of California is experiencing record dry conditions, with 2014 projected to become the driest year on record; and

WHEREAS the state's water supplies have dipped to alarming levels, indicated by: snowpack in California's mountains is approximately 20 percent of the normal average for this date; California's largest water reservoirs have very low water levels for this time of year; California's major river systems, including the Sacramento and San Joaquin rivers, have significantly reduced surface water flows; and groundwater levels throughout the state have dropped significantly; and

WHEREAS dry conditions and lack of precipitation present urgent problems: drinking water supplies are at risk in many California communities; fewer crops can be cultivated and farmers' long-term investments are put at risk; low-income communities heavily dependent on agricultural employment will suffer heightened unemployment and economic hardship; animals and plants that rely on California's rivers, including many species in danger of extinction, will be threatened; and the risk of wildfires across the state is greatly increased; and

WHEREAS extremely dry conditions have persisted since 2012 and may continue beyond this year and more regularly into the future, based on scientific projections regarding the impact of climate change on California's snowpack; and

WHEREAS the magnitude of the severe drought conditions presents threats beyond the control of the services, personnel, equipment and facilities of any single local government and require the combined forces of a mutual aid region or regions to combat; and

WHEREAS under the provisions of section 8558(b) of the California Government Code, I find that conditions of extreme peril to the safety of persons and property exist in California due to water shortage and drought conditions with which local authority is unable to cope.

NOW, THEREFORE, I, EDMUND G. BROWN JR., Governor of the State of California, in accordance with the authority vested in me by the state Constitution and statutes, including the California Emergency Services Act, and in particular, section 8625 of the California Government Code **HEREBY PROCLAIM A STATE OF EMERGENCY** to exist in the State of California due to current drought conditions.

IT IS HEREBY ORDERED THAT:

- 1.State agencies, led by the Department of Water Resources, will execute a statewide water conservation campaign to make all Californians aware of the drought and encourage personal actions to reduce water usage. This campaign will be built on the existing Save Our Water campaign (www.saveourh2o.org) and will coordinate with local water agencies. This campaign will call on Californians to reduce their water usage by 20 percent.
- 2.Local urban water suppliers and municipalities are called upon to implement their local water shortage

contingency plans immediately in order to avoid or forestall outright restrictions that could become necessary later in the drought season. Local water agencies should also update their legally required urban and agricultural water management plans, which help plan for extended drought conditions. The Department of Water Resources will make the status of these updates publicly available.

3.State agencies, led by the Department of General Services, will immediately implement water use reduction plans for all state facilities. These plans will include immediate water conservation actions, and a moratorium will be placed on new, non-essential landscaping projects at state facilities and on state highways and roads.

4.The Department of Water Resources and the State Water Resources Control Board (Water Board) will expedite the processing of water transfers, as called for in Executive Order B-21-13. Voluntary water transfers from one water right holder to another enables water to flow where it is needed most.

5.The Water Board will immediately consider petitions requesting consolidation of the places of use of the State Water Project and Federal Central Valley Project, which would streamline water transfers and exchanges between water users within the areas of these two major water projects.

6.The Department of Water Resources and the Water Board will accelerate funding for water supply enhancement projects that can break ground this year and will explore if any existing unspent funds can be repurposed to enable near-term water conservation projects.

7.The Water Board will put water right holders throughout the state on notice that they may be directed to cease or reduce water diversions based on water shortages.

8.The Water Board will consider modifying requirements for reservoir releases or diversion limitations, where existing requirements were established to implement a water quality control plan. These changes would enable water to be conserved upstream later in the year to protect cold water pools for salmon and steelhead, maintain water supply, and improve water quality.

9.The Department of Water Resources and the Water Board will take actions necessary to make water immediately available, and, for purposes of carrying out directives 5 and 8, Water Code section 13247 and Division 13 (commencing with section 21000) of the Public Resources Code and regulations adopted pursuant to that Division are suspended on the basis that strict compliance with them will prevent, hinder, or delay the mitigation of the effects of the emergency. Department of Water Resources and the Water Board shall maintain on their websites a list of the activities or approvals for which these provisions are suspended.

10. The state's Drinking Water Program will work with local agencies to identify communities that may run out of drinking water, and will provide technical and financial assistance to help these communities address drinking water shortages. It will also identify emergency interconnections that exist among the state's public water systems that can help these threatened communities.

11.The Department of Water Resources will evaluate changing groundwater levels, land subsidence, and agricultural land fallowing as the drought persists and will provide a public update by April 30 that identifies groundwater basins with water shortages and details gaps in groundwater monitoring.

12.The Department of Water Resources will work with counties to help ensure that well drillers submit

required groundwater well logs for newly constructed and deepened wells in a timely manner and the Office of Emergency Services will work with local authorities to enable early notice of areas experiencing problems with residential groundwater sources.

13. The California Department of Food and Agriculture will launch a one-stop website (www.cdffa.ca.gov/drought) that provides timely updates on the drought and connects farmers to state and federal programs that they can access during the drought.

14. The Department of Fish and Wildlife will evaluate and manage the changing impacts of drought on threatened and endangered species and species of special concern, and develop contingency plans for state Wildlife Areas and Ecological Reserves to manage reduced water resources in the public interest.

15. The Department of Fish and Wildlife will work with the Fish and Game Commission, using the best available science, to determine whether restricting fishing in certain areas will become necessary and prudent as drought conditions persist.

16. The Department of Water Resources will take necessary actions to protect water quality and water supply in the Delta, including installation of temporary barriers or temporary water supply connections as needed, and will coordinate with the Department of Fish and Wildlife to minimize impacts to affected aquatic species.

17. The Department of Water Resources will refine its seasonal climate forecasting and drought prediction by advancing new methodologies piloted in 2013.

18. The California Department of Forestry and Fire Protection will hire additional seasonal firefighters to suppress wildfires and take other needed actions to protect public safety during this time of elevated fire risk.

19. The state's Drought Task Force will immediately develop a plan that can be executed as needed to provide emergency food supplies, financial assistance, and unemployment services in communities that suffer high levels of unemployment from the drought.

20. The Drought Task Force will monitor drought impacts on a daily basis and will advise me of subsequent actions that should be taken if drought conditions worsen.

I FURTHER DIRECT that as soon as hereafter possible, this Proclamation be filed in the Office of the Secretary of State and that widespread publicity and notice be given of this Proclamation.

IN WITNESS WHEREOF I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this 17th day of January, 2014.

EDMUND G. BROWN JR.,
Governor of California

ATTEST:

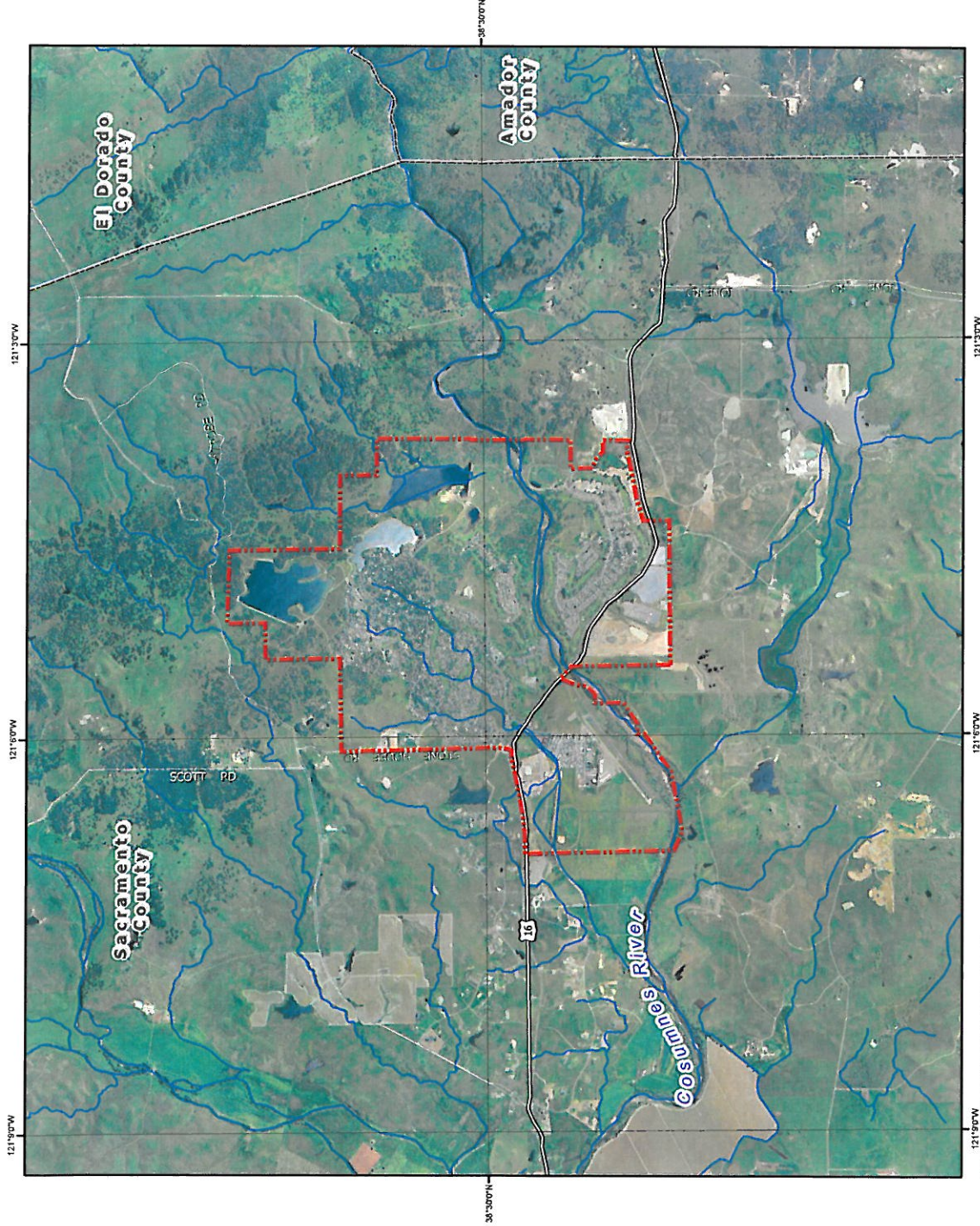
DEBRA BOWEN,
Secretary of State

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Governor Edmund G. Brown Jr.

State Capitol Building
Sacramento, CA 95814

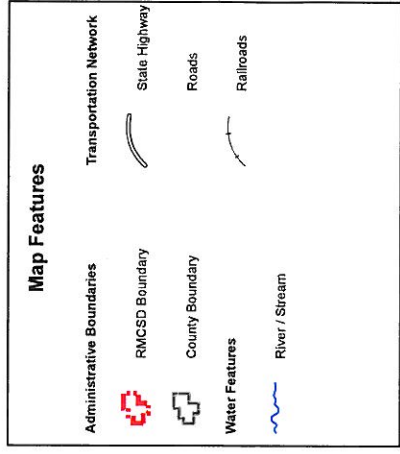
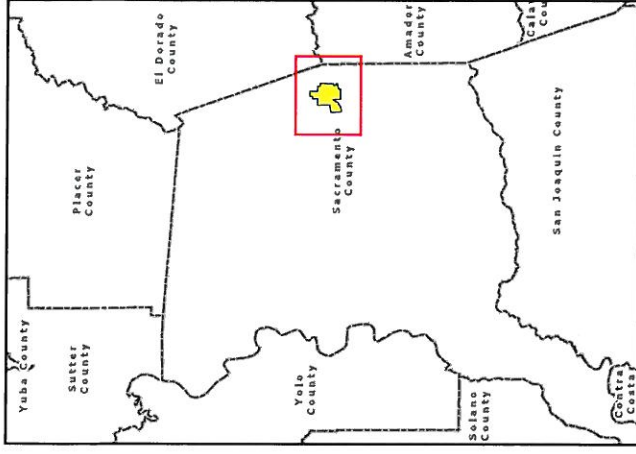
[Forward](#) [View in Browser](#)



Map Projection: California StatePlane Zone 11
 Datum: North American Datum 1983 (NAD83)
 Coordinate System: UTM
 Units: Meter
 Contour Interval: 3' (0.9144m)



FIGURE 1. Rancho Murieta CSD Site and Vicinity
 2005-223 Rancho Murieta CSD



ATTACHMENT 1

DESCRIPTION OF TEMPORARY URGENCY CHANGE PETITION REQUEST

Water Rights Permit 16762 Requested Changes

- 1) Condition 5 sets the time of year in which RMCS D may divert water from the Cosumnes River beginning no earlier than November 1 and ending no later than May 31.
- 2) RMCS D is seeking a temporary change to allow diversion through July 1, 2014. This change is necessary to make up for the lost diversion opportunities so far this diversion season and to be able to divert if rainfall is received later in the year and or snow melt is sufficient to allow diversions after the normal end of the diversion season on May 31st.

Condition 18 states: For the protection and preservation of fish life, diversion under this permit from the Cosumnes River shall be subject to the following terms and conditions:

- A. No water shall be diverted when the flow is less than 708 cubic feet per second.
- B. Only up to 6 cubic feet per second shall be diverted when the flow is between 70 and 175 cubic feet per second (but such diversion shall not reduce the flow below 70 cubic feet per second).
- C. Only those flows in excess of 175 cubic feet per second shall be diverted at all other times, except in dry years, as follows:
 - (1) If on February 1, the total amount that could have been diverted under this permit under the foregoing schedule is less than 400 acre-feet, then permittee may, during February, divert the flows in excess of 70 cubic feet per second, up to a maximum of 46 cubic feet per second.
 - (2) If on March 1, the total amount that could have been diverted under the foregoing schedule is less than 2,000 acre-feet, then permittee may, during March, divert the flows in excess of 70 cubic feet per second, up to a maximum of 46 cubic feet per second.

RMCS D is requesting that this condition be lifted and that the following river flows be approved for this temporary urgency change request:

The Cosumnes River flow at Michigan Bar USGS station must be at a minimum of:

- 15 cfs for diversion of up to 6 cfs,
- 21 cfs for diversion up to 12 cfs,
- 24 cfs for diversion up to 15 cfs,
- 39 cfs for diversion up to 30 cfs,
- 54 cfs for diversion up to 45 cfs.

This allows at least 9 cfs of flow to continue downstream. We know from experience and coordinating riparian use with local ranchers, that downstream use has been met when river flows have dropped to near 4 cfs during summer months. Downstream bypass flows would be maintained at more than double historical summer flows under this requested change.

- 3) Condition 21 States: Permittee shall divert no water during the period November 1 to June 1 of each season except during such time as there is a continuous visible surface flow in the bed of Cosumnes River from permittee's point of diversion to the gauging station on Highway 99 known as "Cosumnes River at McConnell".

RMCS D is seeking that this condition be temporarily removed. The purpose of this condition is to ensure downstream flows are maintained. Owing to the historic low flows this year, the Cosumnes River has not connected at the McConnell gauging station at all this water year due to use by downstream riparian users.

ATTACHMENT 2

SUPPLEMENTAL INFORMATION FOR TEMPORARY URGENCY CHANGE PETITION

1.0 BACKGROUND

The Rancho Murieta Community Services District (RMCS D) diverts water from the Cosumnes River to three off stream storage reservoirs for potable use under Water Right Permit 16762, Application 23416, adopted on September 14, 1982 and extended on November 15, 2006 through December 31, 2020.

This permit sets minimum flow requirements during the diversion season and also allows ramped up diversion if certain minimum diversions to storage have not been met.

1.1 Minimum Flow Requirements

Permit 16762 requires a minimum of 70 cubic feet per second (CFS) in the Cosumnes River as measured up stream at Michigan Bar USGS gauging station before 6 cfs can be diverted, as noted below:

Condition 18: For the protection and preservation of fish life, diversion under this permit from the Cosumnes River shall be subject to the following terms and conditions:

- A. No water shall be diverted when the flow is less than 70 cubic feet per second.
- B. Only up to 6 cubic feet per second shall be diverted when the flow is between 70 and 175 cubic feet per second (but such diversion shall not reduce the flow below 70 cubic feet per second).
- C. Only those flows in excess of 175 cubic feet per second shall be diverted at all other times, except in dry years, as follows:
 - (1) If on February 1, the total amount that could have been diverted under this permit under the foregoing schedule is less than 400 acre-feet, then permittee may, during February, divert the flows in excess of 70 cubic feet per second, up to a maximum of 46 cubic feet per second.
 - (2) If on March 1, the total amount that could have been diverted under the foregoing schedule is less than 2,000 acre-feet, then permittee may, during March, divert the flows in excess of 70 cubic feet per second, up to a maximum of 46 cubic feet per second.

1.2 Water Supply Conditional Requirements

As noted above, in paragraph 18.C.(1) and 18.C.(2), diversions can be ramped up later in the diversion season if certain minimum diversions to storage volumes have not been met, however minimum river flow requirements still prevail.

To insure downstream flows are maintained Permit Condition 21 States: Permittee shall divert no water during the period November 1 to June 1 of each season except during such time as there is a continuous visible surface flow in the bed of Cosumnes River from permittee's point of diversion to the gauging station on Highway 99 known as "Cosumnes River at McConnell".

1.3 Diversion Season

Permit 16762 places limitations on the timing of diversions, generally during the fall and spring seasons when river flows are the highest.

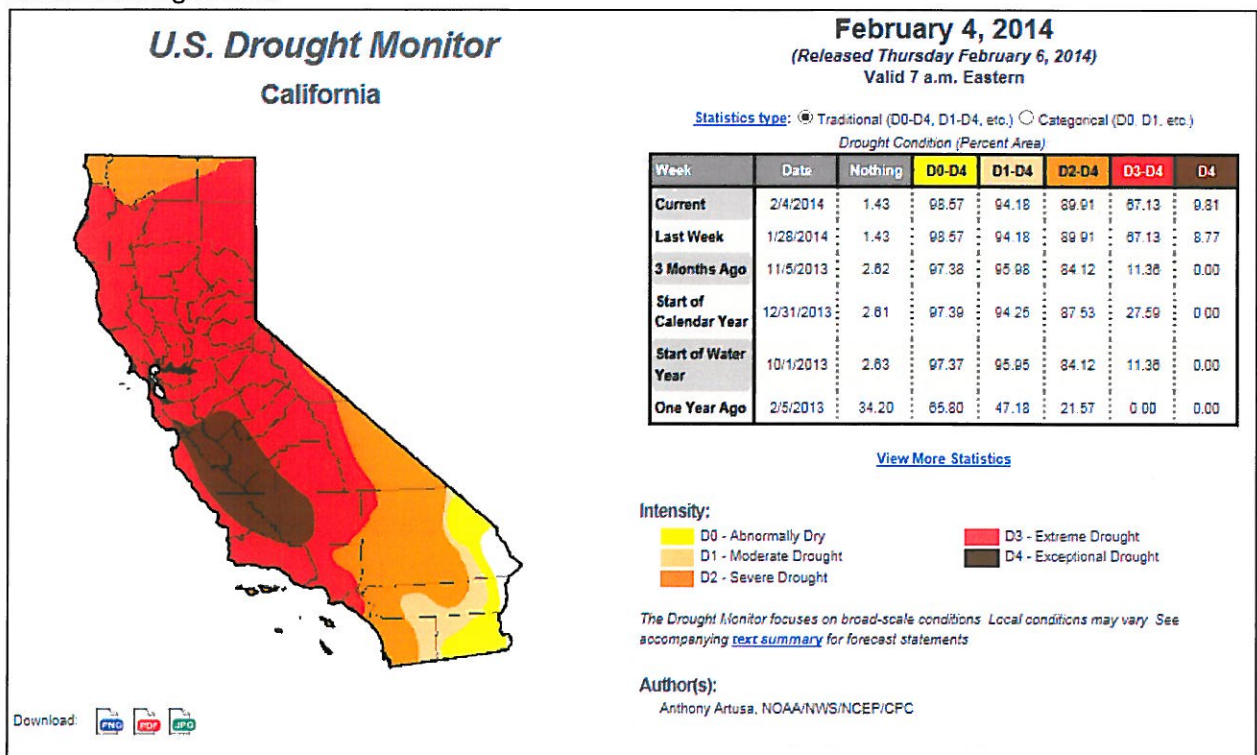
Condition 5 sets the time of year in which RMCS D can divert water from the Cosumnes River, beginning no earlier than November 1 and ending no later than May 31.

2.0 CURRENT WATER SUPPLY CONDITIONS

This past water year has been unprecedentedly dry. The low rainfall total received to date, high evaporation rates, record winter temperatures, and low Cosumnes River flows not allowing RMCS D to divert, have all contributed to a dire water storage concern for our district. In the calendar year of 2013 we received 6.16" of rain, compared to our average 23.86", along with experiencing 55.52" of evaporation. Additionally, the three month outlook weather forecast from the National Oceanic and Atmospheric Administration predicts below normal precipitation for California from now through the forecast horizon.

RMCS D issued a Stage 2 drought water warning to the community on January 15, 2014 in an effort to conserve 20%. However, it is currently unknown what effect this has had or will have on water consumption. On January 17, 2014, Governor Brown issued a Drought Emergency Proclamation. The Proclamation recited that California is experiencing record dry conditions, with calendar year 2014 projected to become the driest year on record.

Below is the most recent screenshot from the US Drought Monitor for California. RMCS D is in the D3-Extreme Drought area.



2.1 Water Storage Supply Conditions

RMCS D's three off stream storage reservoirs have a combined current storage of approximately 2900 AF which is roughly 60% of full capacity. Of that volume RMCS D's largest reservoir, Calero, is at 1,116.3 acre-feet or 42% full capacity.

RMCS D has a drought tracking tool which was developed to track water supply availability. Below are graphs from the Updated Model Summary which utilize data inputs for:

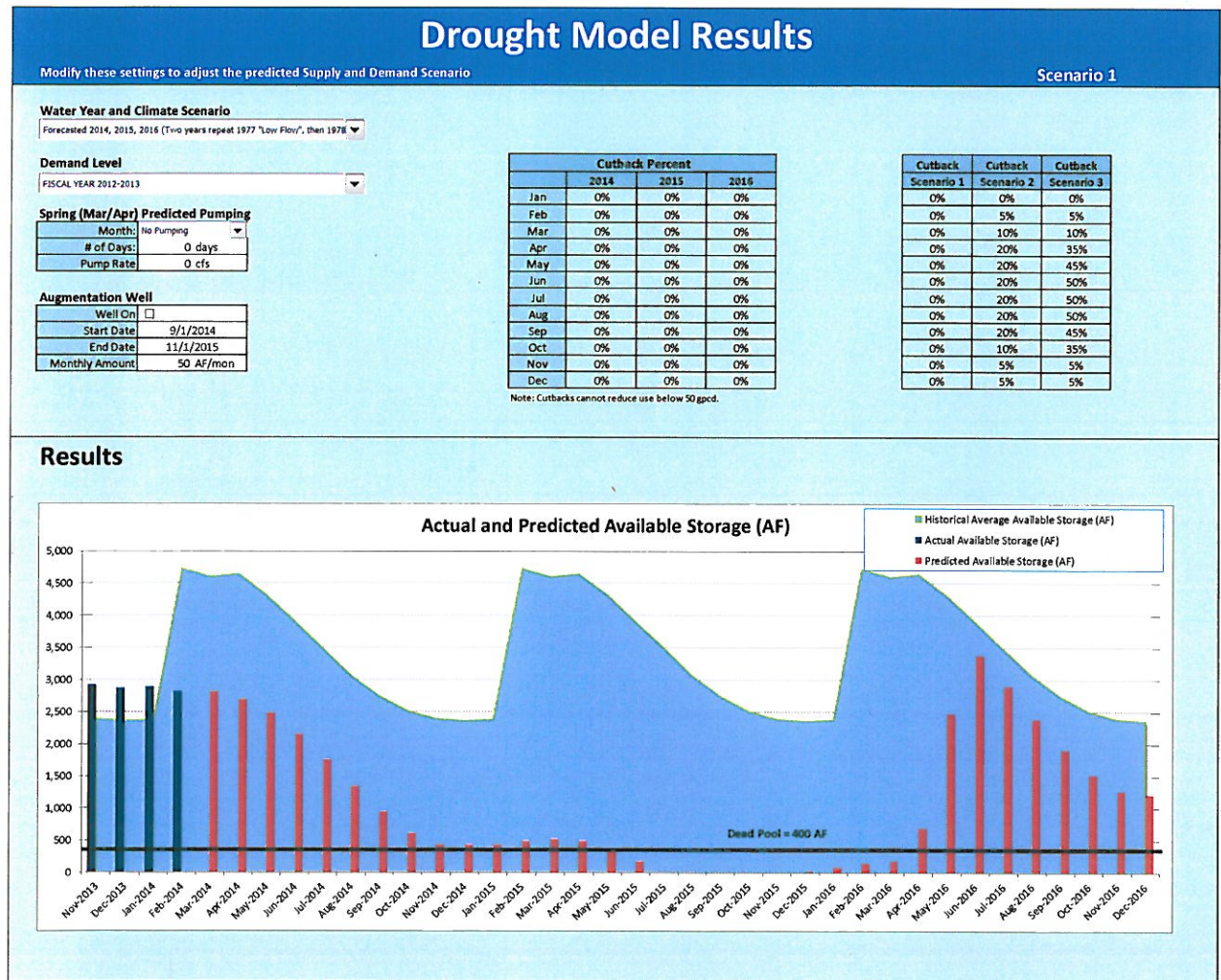
- Current demands for 5,880 estimated population
- Starts with current storage levels
- Forecasted hydrology based on 1977, 1977, 1978 flows (back to back zero diversion seasons)
- Existing permit constraints

Graphs shown below include:

Scenario 1: No cutback in demand

Scenario 2: 20% cutback in demand

Scenario 3: 50% cutback in demand



Drought Model Results

Modify these settings to adjust the predicted Supply and Demand Scenario

Scenario 2

Water Year and Climate Scenario

Forecasted 2014, 2015, 2016 (Two years repeat 1977 "Low Flow", then 1976)

Demand Level

FISCAL YEAR 2012-2013

Spring (Mar/Apr) Predicted Pumping

Month: No Pumping
 # of Days: 0 days
 Pump Rate: 0 cfs

Augmentation Well

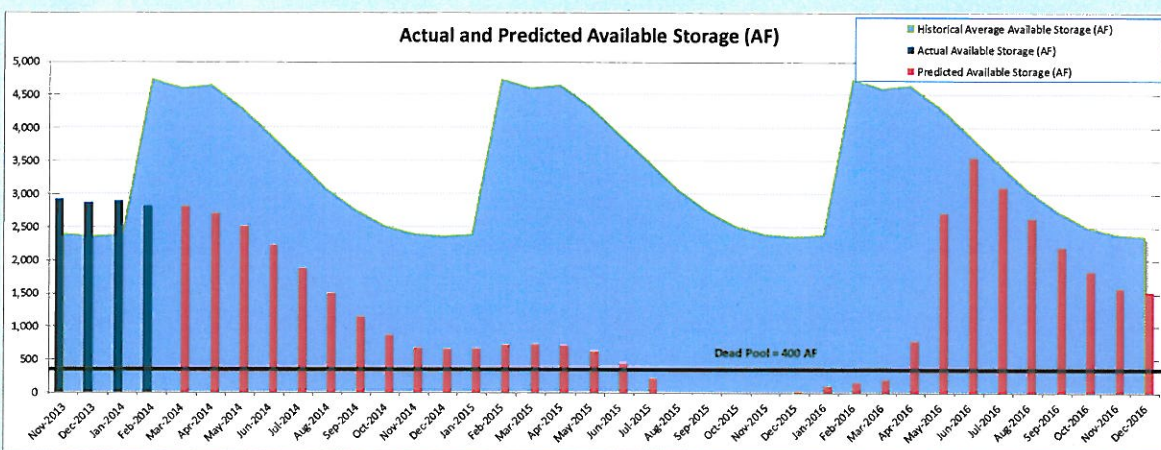
Well On
 Start Date: 9/1/2014
 End Date: 11/1/2015
 Monthly Amount: 50 AF/mon

	2014	2015	2016
Jan	0%	0%	0%
Feb	5%	5%	5%
Mar	10%	10%	10%
Apr	20%	20%	20%
May	20%	20%	20%
Jun	20%	20%	20%
Jul	20%	20%	20%
Aug	20%	20%	20%
Sep	20%	20%	20%
Oct	10%	10%	10%
Nov	5%	5%	5%
Dec	5%	5%	5%

Cutback	Cutback	Cutback
Scenario 1	Scenario 2	Scenario 3
0%	0%	0%
0%	5%	5%
0%	10%	10%
0%	20%	35%
0%	20%	45%
0%	20%	50%
0%	20%	50%
0%	20%	50%
0%	20%	45%
0%	10%	35%
0%	5%	5%
0%	5%	5%

Note: Cutbacks cannot reduce use below 50 gpcd.

Results



Drought Model Results

Modify these settings to adjust the predicted Supply and Demand Scenario

Scenario 3

Water Year and Climate Scenario

Forecasted 2014, 2015, 2016 (Two years repeat 1977 "Low Flow", then 1978)

Demand Level

FISCAL YEAR 2012-2013

Spring (Mar/Apr) Predicted Pumping

Month:	No Pumping
# of Days:	0 days
Pump Rate:	0 cfs

Augmentation on Well

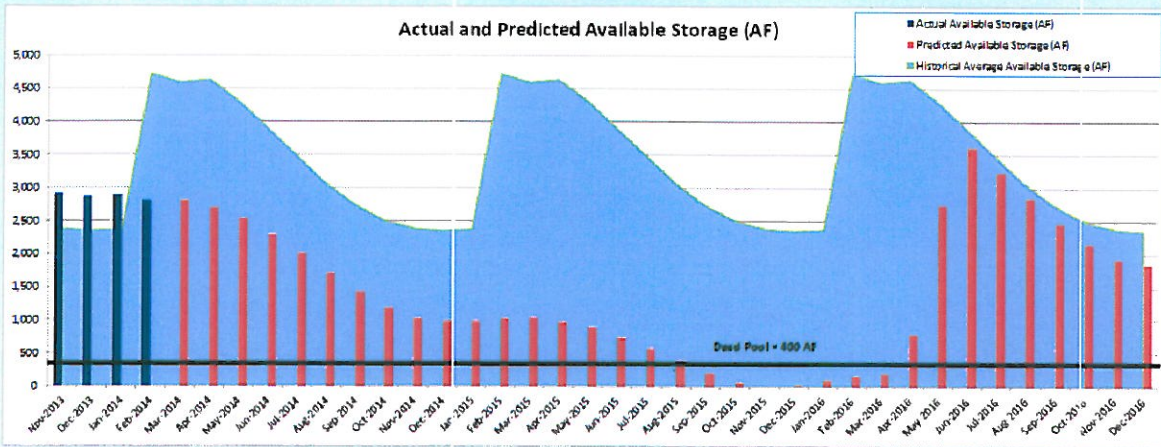
Well On:	<input type="checkbox"/>
Start Date:	9/1/2014
End Date:	11/1/2015
Monthly Amount:	50 AF/mon

	2014	2015	2016
Jan	0%	0%	0%
Feb	5%	5%	5%
Mar	10%	10%	10%
Apr	35%	35%	35%
May	45%	45%	45%
Jun	50%	50%	50%
Jul	50%	50%	50%
Aug	50%	50%	50%
Sep	45%	45%	45%
Oct	35%	35%	35%
Nov	5%	5%	5%
Dec	5%	5%	5%

Cutback	Cutback	Cutback
Scenario 1	Scenario 2	Scenario 3
0%	0%	0%
0%	5%	5%
0%	10%	10%
0%	20%	35%
0%	20%	45%
0%	20%	50%
0%	20%	50%
0%	20%	50%
0%	20%	45%
0%	10%	35%
0%	5%	5%
0%	5%	5%

Note: cutbacks cannot reduce use below 50 gpcd.

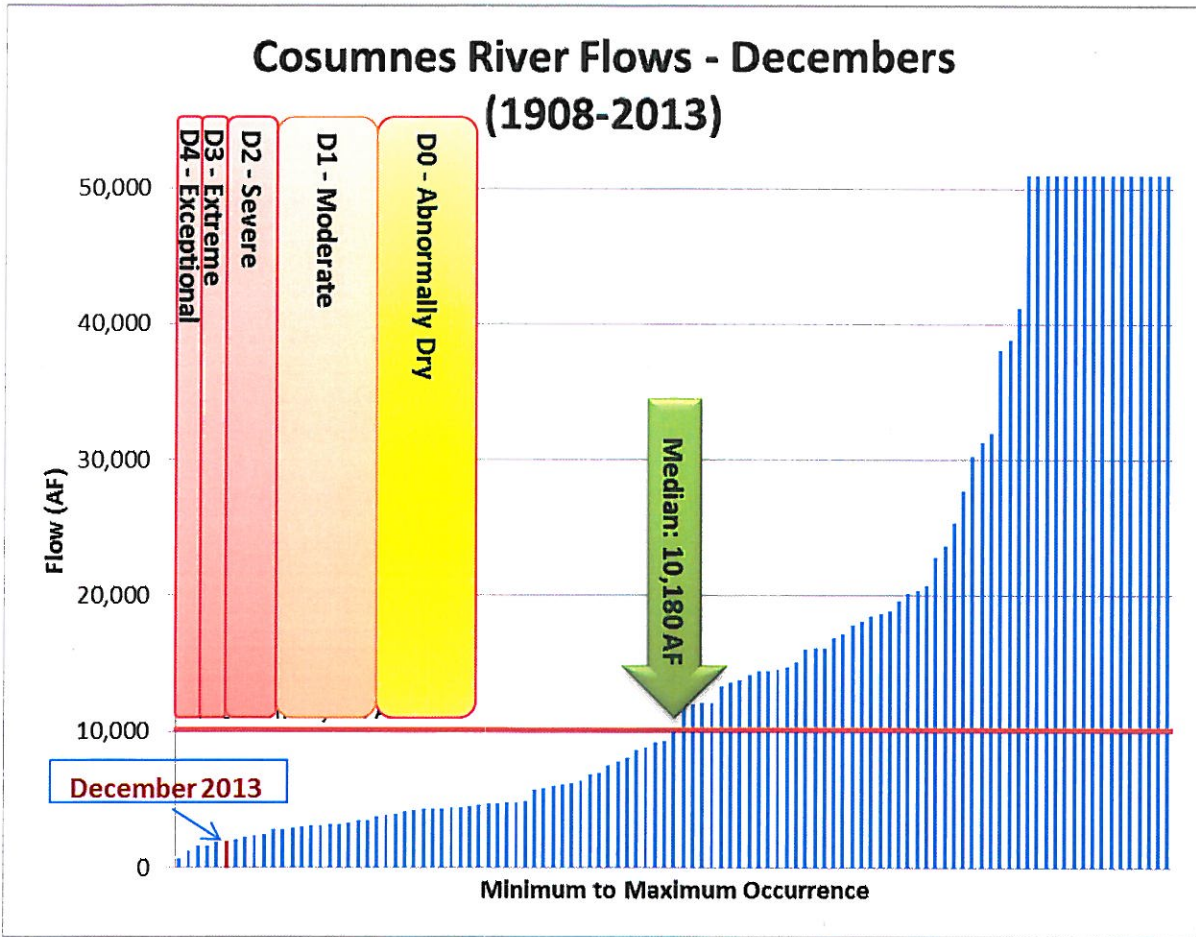
Results

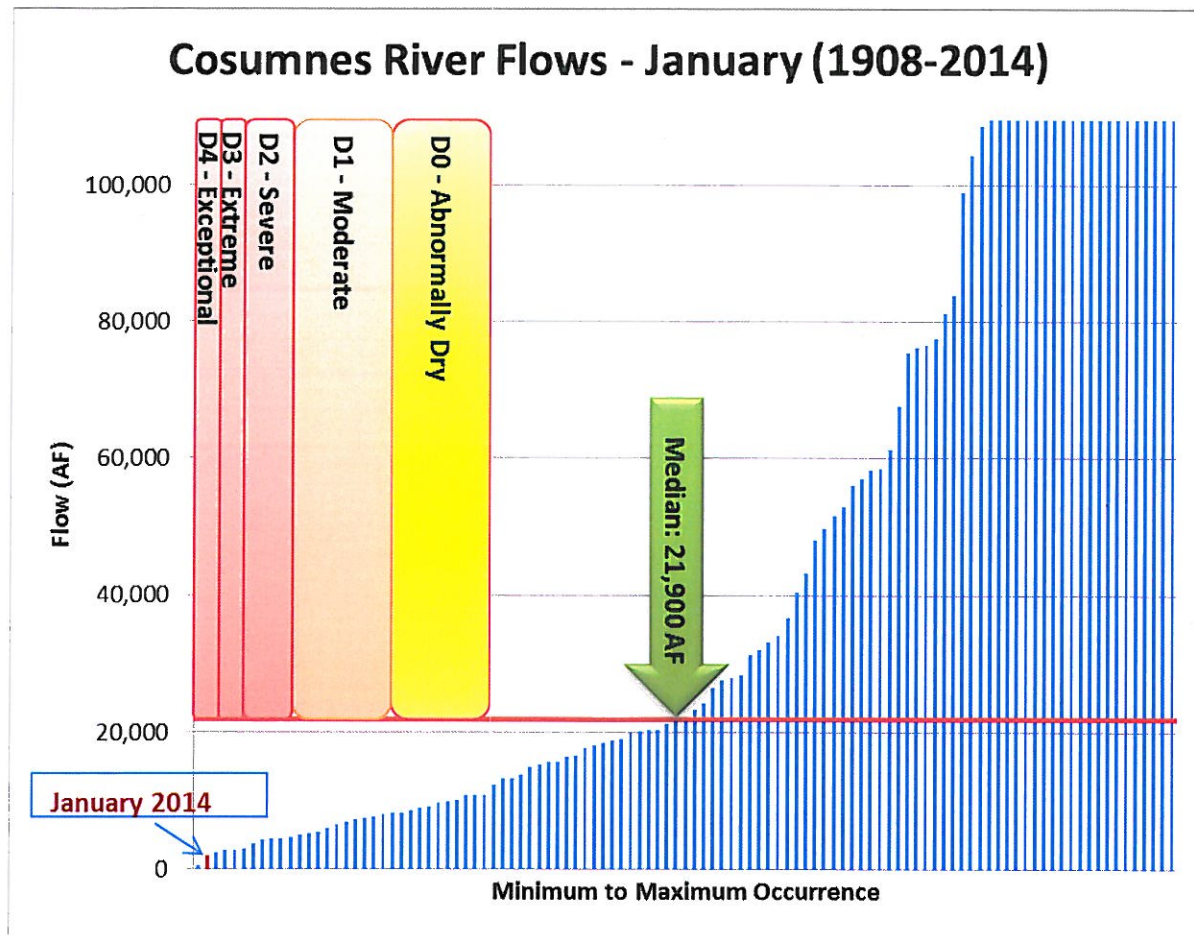


As can be seen under all scenarios, even with 50% conservation, RMCS D's reservoirs reach dead storage, as early as November 2014 or as late as August 2015, which means RMCS D will be unable to provide even minimum amounts of water for public health and safety without temporary urgency revisions to our water permit conditions.

2.2 Cosumnes River Flows

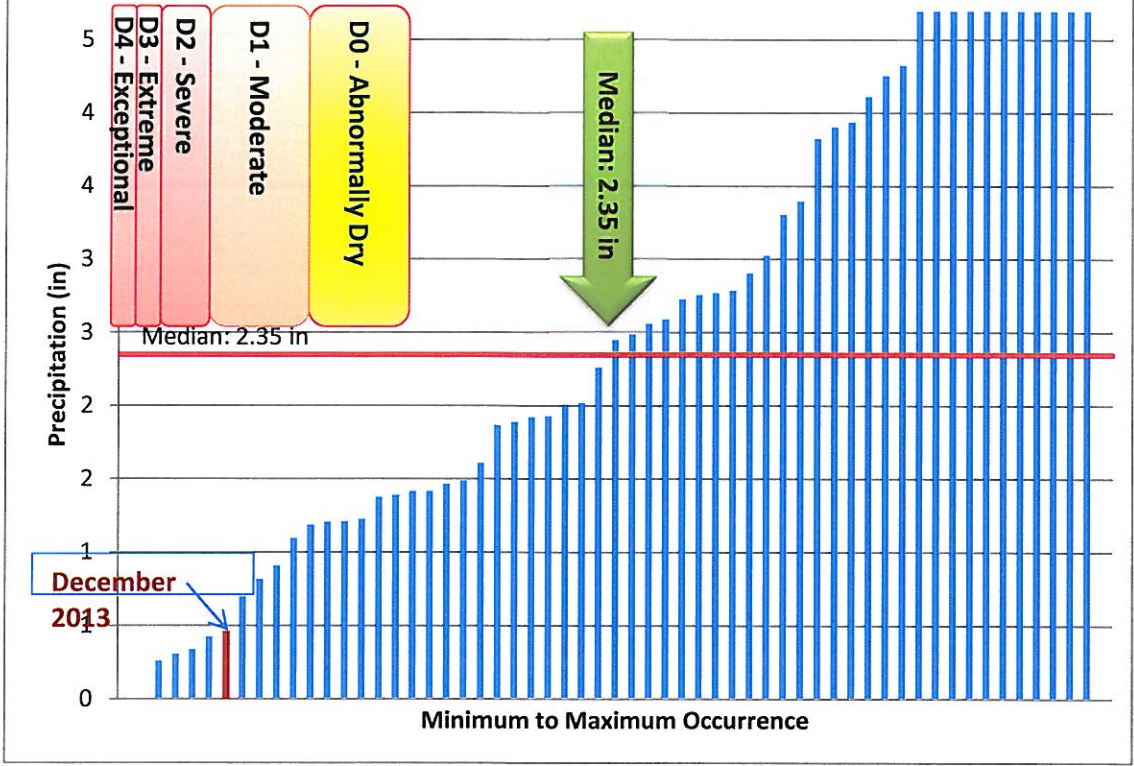
Given the historic low precipitation, Cosumnes River flows have reached extraordinary low flows to date. Below are river flows for December 2013 and January 2014.



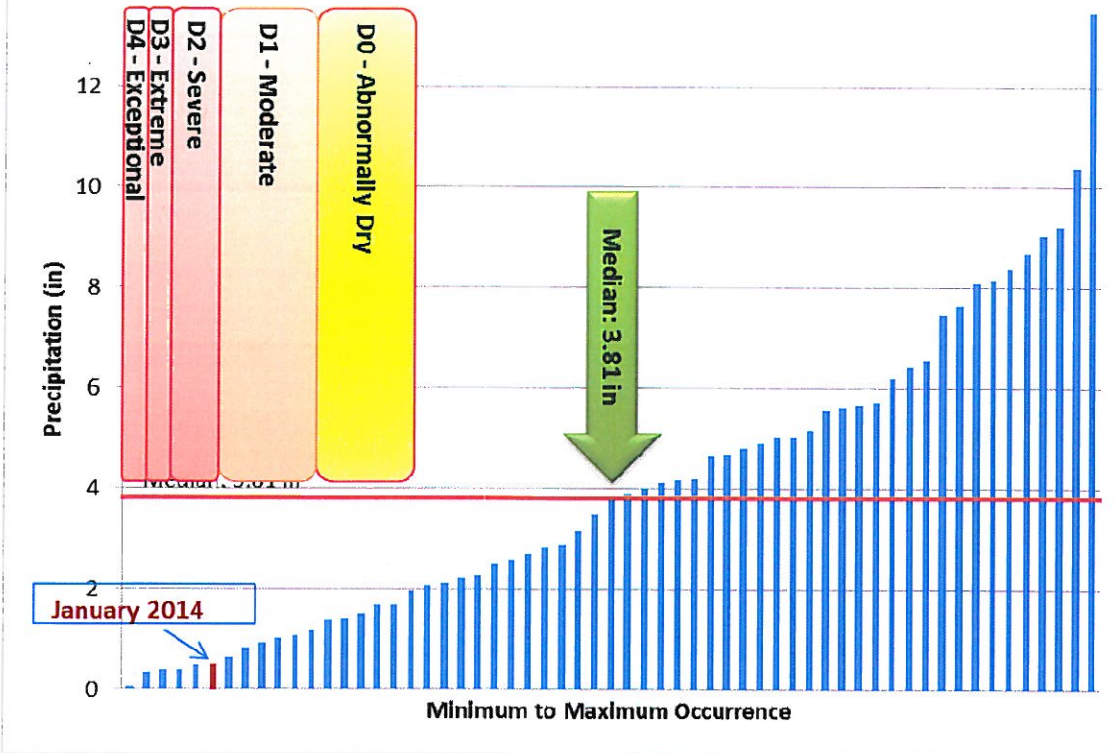


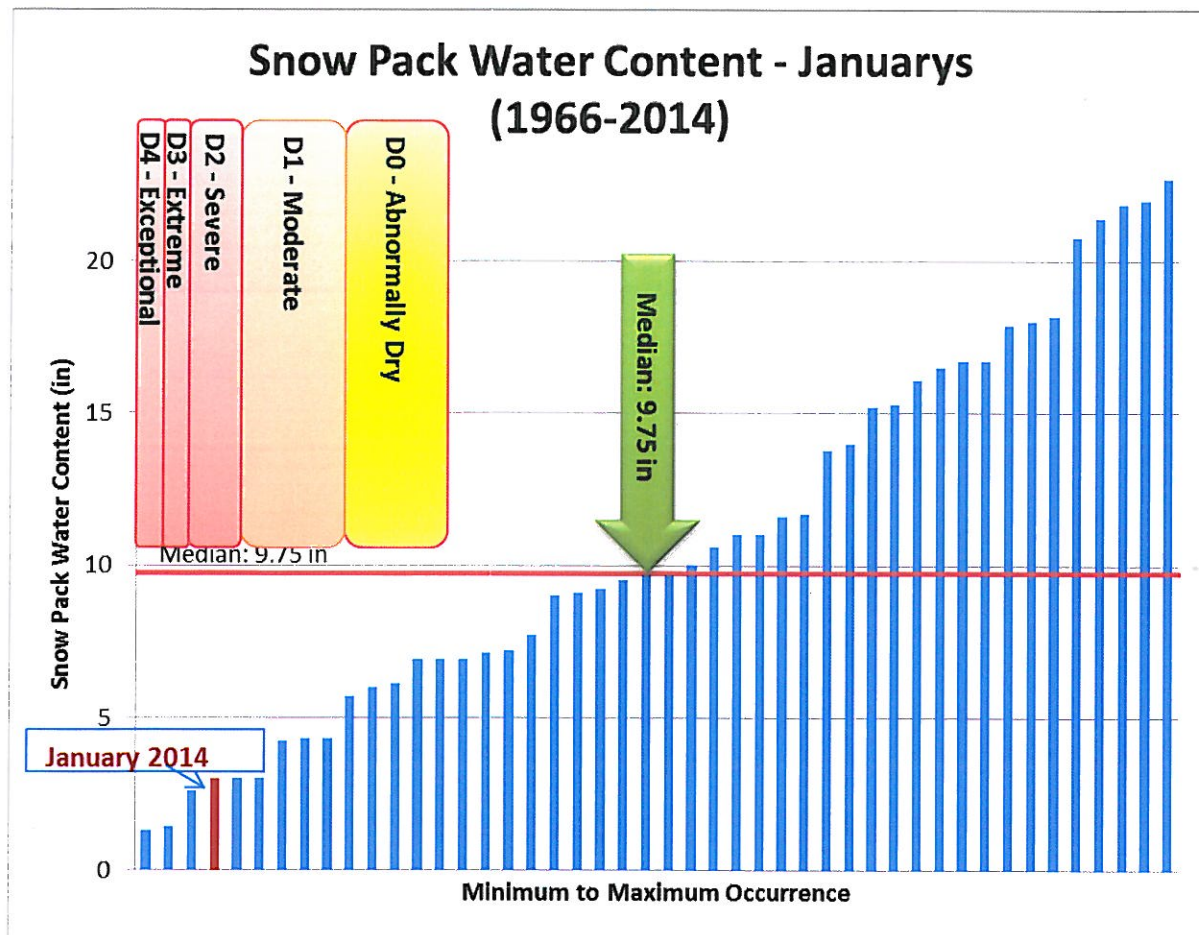
Current Cosumnes River flows are historically low during the early part of the diversion season due to the lack of precipitation and or snowmelt. The Cosumnes River water shed is small, roughly 520 square miles, and mostly below 7500 feet in elevation. As a result, river flows can be quite variable and are primarily snowmelt influenced in the later portions of the diversion season. Precipitation throughout all of California is extremely low, but even more so in the Cosumnes River water shed. The following graphs show the amount of precipitation and snow pack to date.

Precipitation - Decembers (1955-2013)



Precipitation - Januarys (1955-2014)





3.0 REQUESTED TEMPORARY URGENCY CHANGE TO PERMIT

To address the projected continued low flows in the Cosumnes River and to ensure RMCS D's ability to divert to storage to meet minimum water supply availability, RMCS D requests Permit 16762 conditions related to diversion season, minimum downstream river flow requirements and downstream flow conditions be temporarily changed as follows:

Water Rights Permit 16762 requested changes

- 1) Condition 5 sets the time of year in which RMCS D may divert water from the Cosumnes River beginning no earlier than November 1 and ending no later than May 31. RMCS D is seeking a temporary change to allow diversion through July 1, 2014. This change is necessary to make up for the lost diversion opportunities so far this diversion season and to be able to divert if rainfall is received later in the year and or snow melt is sufficient to allow diversions after the normal end of the diversion season on May 31.
- 2) Condition 18 states: For the protection and preservation of fish life, diversion under this permit from the Cosumnes River shall be subject to the following terms and conditions:
 - A. No water shall be diverted when the flow is less than 70 cubic feet per second.

- B. Only up to 6 cubic feet per second shall be diverted when the flow is between 70 and 175 cubic feet per second (but such diversion shall not reduce the flow below 70 cubic feet per second).
- C. Only those flows in excess of 175 cubic feet per second shall be diverted at all other times, except in dry years, as follows:
 - (1) If on February 1, the total amount that could have been diverted under this permit under the foregoing schedule is less than 400 acre-feet, then permittee may, during February, divert the flows in excess of 70 cubic feet per second, up to a maximum of 46 cubic feet per second.
 - (2) If on March 1, the total amount that could have been diverted under the foregoing schedule is less than 2,000 acre-feet, then permittee may, during March, divert the flows in excess of 70 cubic feet per second up to a maximum of 46 cubic feet per second.

RMCS D is requesting that this condition be lifted and that the following river flows be approved for this temporary urgency change request:

The Cosumnes River flow at Michigan Bar USGS station must be at a minimum of:

- 15 cfs for diversion of up to 6 cfs,
- 21 cfs for diversion up to 12 cfs,
- 24 cfs for diversion up to 15 cfs,
- 39 cfs for diversion up to 30 cfs,
- 54 cfs for diversion up to 45 cfs.

This allows at least 9 cfs of flow to continue downstream. We know from experience and coordinating riparian use with local ranchers, that downstream use has been met when river flows have dropped to near 4 cfs during summer months. Downstream bypass flows would be maintained at more than double historical summer flows under this requested change.

- 3) Condition 21 States: Permittee shall divert no water during the period November 1 to June 1 of each season except during such time as there is a continuous visible surface flow in the bed of Cosumnes River from permittee's point of diversion to the gauging station on Highway 99 known as "Cosumnes River at McConnell".

RMCS D is seeking that this condition be temporarily removed. The purpose of this condition is to ensure downstream flows are maintained. Owing to the historic low flows this year, the Cosumnes River has not connected at the McConnell gauging station at all this water year due to use by downstream riparian users.

4.0 CRITERIA FOR APPROVING TEMPORARY URGENCY CHANGES TO PERMIT

As required by Water Code Section 1435, subdivision (b), the Board must make the following findings before issuing a temporary change order:

- 1. The permittee or licensee 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's interest.

4.1 Urgency of the Proposed Change

Under Water Code section 1435, subdivision (c), an urgent need to make a proposed change exists when the State Water Board concludes that the proposed temporary change is necessary to further the constitutional policy that the water resources of the State be put to beneficial use to the fullest extent of which they are capable and that waste of water be prevented.

For this Petition, RMCS D's water supply reservoirs will not be able to be refilled without urgent changes to the current permit requirements. Without the requested changes, RMCS D's ability to divert is entirely weather dependant and poses significant risks to ensuring long term water supply and serious impacts to public health and safety.

4.2 No Injury to Any Other Lawful User of Water

If this Petition is granted, RMCS D will still be required to maintain specific minimum flows in the Cosumnes River. Because these minimum flows will be present, all other users of water will still be able to divert and use the amounts of water that they may legally divert and use. Accordingly, granting this Petition will not result in any injury to any other lawful user of water.

4.3 No Unreasonable Effect Upon Fish, Wildlife, or Other Instream Beneficial Uses

Although the bypass river flows may be less than normal for this time of year, and given that the Cosumnes River is already disconnected from the McConnell station, downstream fisheries or other in stream beneficial uses will not be impacted any more than during normal summer months.

In addition, the Governor's Drought Proclamation suspends CEQA compliance declaring that strict compliance will prevent, hinder or delay implementation of measures to make sure water is immediately available.

4.4 The Proposed Change is in the Public Interest

Approval of this Petition will provide minimum bypass flow requirements for the Cosumnes River that are based on a more current assessment of water supply conditions in RMCS D's three water supply reservoirs and on the Cosumnes River. The requested changes will help provide stored water in the RMCS D's reservoirs to ensure adequate supplies are available to ensure public health and safety are met. It is in the public interest to obtain these water supplies for these beneficial uses under present hydrological conditions.

5.0 CONCLUSION

RMCS D is submitting this Temporary Urgency Change Petition to address the unprecedented dry conditions that have occurred since December 1 of last year. Under these conditions and considering the uncertainty of how much precipitation the region will receive during the next few months, RMCS D believes the changes to the current permit requirements are warranted and in the public interest.

PHOTOS

Calero Reservoir, early February 2014

