



Linda S. Adams
Secretary for
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State Water Resources Control Board

Division of Water Rights
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Arnold Schwarzenegger
Governor

July 13, 2007

To: Water Diverters from the Sacramento-San Joaquin Delta

REQUEST FOR INFORMATION AND COOPERATION IN REDUCING DIVERSIONS FROM THE SACRAMENTO-SAN JOAQUIN DELTA TO PROTECT INSTREAM BENEFICIAL USES

This year's low flows in the Sacramento-San Joaquin Delta Estuary (Delta) together with the high diversion demand for water are threatening the delta smelt population. The delta smelt is a small, slender-bodied fish with a typical adult size of 2 to 3 inches that is found only in the Delta. Historically, it was one of the most common species in the Delta, but its population has been in dramatic decline since the early 1980's. The delta smelt was listed as a threatened species by the U.S. Fish and Wildlife Service in March 1993 and by the California Department of Fish and Game (Fish and Game) in December 1993. Delta smelt are considered environmentally sensitive because they only live one year, have a limited diet, and reside primarily in the interface between salt and freshwater. As with all species residing in the Delta, the delta smelt population is affected by the amount of outflow from all tributaries, which varies from year to year due to precipitation and water management. The State Water Resources Control Board (State Water Board) monitors the delta smelt population as an indicator for the overall condition of the Delta ecosystem.

The State Water Board held two workshops to gather information, and is continuing discussions with State and federal fishery and water management agencies regarding actions that can be taken to stop the delta smelt decline. At these workshops, three categories of stressors were identified that could be contributing to the decline of delta smelt: water diversions, invasive species, and toxics. Water diversions from the Delta can cause direct and indirect mortality of delta smelt and other aquatic organisms. For this reason, Fish and Game and other fishery agencies worked with the State Department of Water Resources to initiate measures to reduce the effects of Delta export diversions. On May 31, 2007, diversion of water at the State Water Project and Central Valley Project pumping facilities was temporarily curtailed to reduce the risk of entraining delta smelt and to allow the delta smelt to move away from pumps. You may have received two notices from Fish and Game. The first notice, dated June 1, 2007, also requested that you voluntarily curtail pumping. The second notice dated July 9, 2007, informed you that for this year, conditions have changed such that Fish and Game is rescinding its request for you to reduce your diversions.

By this letter, the State Water Board is following up on Fish and Game's notices by requesting cooperation from you and other Delta diverters to determine if there was any voluntary cessation of diversions and to gather other information that will be used to assess the condition of the Delta in future years. As a diverter of water from the Delta, your assistance is requested by completing and returning the enclosed survey. Please fill in your name, address, water right identification number, and other requested information. Please also provide suggestions you may have on this issue and any information regarding possible unauthorized water diversions affecting your diversions.

Diversions using water under riparian or pre-1914 appropriative water right claim that have not filed with the State Water Board's Division of Water Rights (Division), and that are not included in consumptive use data for the Delta published by the Department of Water Resources, must file a Statement of Water Diversion and Use with the Division pursuant to Water Code section 5101. The information for filing a Statement of Water Diversion and Use can be found at www.waterrights.ca.gov/Forms. If your water use is not listed in the Division's records, you may take this opportunity to identify your basis of right.

Please return the enclosed survey at your earliest convenience. If you have received multiple copies of this letter, it is because you have more than one point of diversion or water right on record. This is referenced by the number printed on the upper right hand corner of the mailing label on each envelope. Please complete this survey for each individual diversion. In the event that this survey does not generate the necessary information regarding water use reductions and fish screening facilities, Division staff may contact selected water users in the Delta to schedule dates and times for inspections.

The survey should be returned to:

Sacramento-San Joaquin Delta Diversion Survey
Division of Water Rights
P.O. Box 2000
Sacramento, CA 95812

We have provided a pre-paid, addressed envelope for your convenience.

Please note that the Central Valley Regional Water Quality Control Board may also contact you in an effort to quantify the amount of wastewater being discharged into the Delta.

If you have any questions regarding this letter, please contact Ken Emanuel at (916) 341-5317 or Isabel Baer at (916) 341-5416.

Sincerely,

ORIGINAL SIGNED BY

Victoria A. Whitney
Division Chief

Enclosures:

1. Diversion Survey
2. Return envelope