

STATE WATER RESOURCES CONTROL BOARD
BOARD MEETING/HEARING
(Portion)

FEBRUARY 3, 2015

Coastal Hearing Room - Second Floor
1001 I Street
Sacramento California 95814

scribed by: Kathryn Davis CSR No. 3808

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STATE WATER RESOURCES CONTROL BOARD

BOARD MEMBERS

Chair Felicia Marcus

Vice-Chair Frances Spivy-Weber

Board Member Tam M. Doduc

Board Member Steven Moore

Board Member Dorene D'Amamo

1 PORTION OF TRANSCRIPT OF PROCEEDINGS

2 (Part 1 of 2; 55:06-1:07:42)

3 --oOo--

4 CHAIR FELICIA MARCUS: Next, California's ongoing
5 drought emergency. I see Mr. O'Hagan and Ms.
6 Montgomery.

7 John is going to take it all?

8 JOHN O'HAGAN: Good morning. I'm John O'Hagan,
9 Assistant Deputy Director for Water Rights. They are
10 going to bring up a presentation for me.

11 As you recall on my last update in January, I
12 informed you of the notice of potential curtailment that
13 went out statewide, and then also some orders that were
14 going to be issued. So I'm just going to give you a
15 quick update.

16 Go ahead and move forward.

17 I wanted to give you an idea of existing
18 conditions. This is the information from CDEC on
19 rainfall totals. Tulare Lake Basin, 6.8 inches; San
20 Joaquin, five stations, 9.3 inches; Sacramento 8
21 stations, 23 inches.

22 The snow water equivalent at this time is 14
23 percent of April average. And then the major reservoir
24 conditions, roughly about 50 percent of average for this
25 time of year. And all those hyperlinks are there to the

1 sites that the information is coming from.

2 CHAIR FELICIA MARCUS: So then this is all going
3 to be online so people can click on it?

4 JOHN O'HAGAN: Click on it.

5 CHAIR FELICIA MARCUS: That is great.

6 The big news over the weekend in San Francisco,
7 and then again today, that is was not a drop in January.

8 JOHN O'HAGAN: Right. It's the driest January
9 on record, as I understand it.

10 Okay. Next slide.

11 This is the five-day forecast for the storm that
12 is coming in this week. As you can see, the total for
13 the Sacramento Valley is 1.9 inches. It is a lot
14 heavier up in the North Coast and lighter in the
15 southern area; but that is for a forecast from NOAA that
16 we can access and see for forecasting of rainfall coming
17 in.

18 CHAIR FELICIA MARCUS: What does that mean? So
19 the North Coast would get a lot of rain. Just for those
20 small communities they helped last year, what does this
21 mean for the reservoirs?

22 JOHN O'HAGAN: Well, this will all help because
23 the runoff, obviously, gets into the reservoirs. But it
24 is not a lot of rain is the point of what I'm saying.
25 Up in the North Coast, it is very good because there is

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1 a lot of inches that may be falling up there. But as
2 you move to the Sacramento Valley, it is not as much
3 rainfall. So that is just information for giving you an
4 idea of the storm coming in.

5 Okay. Go ahead.

6 The activities update. As I've mentioned, the
7 drought website is going to be updated and available.
8 We are going to be putting in our diversion demand data
9 set, so that stakeholders can take a look at it and use
10 it and give us the feedback on that data.

11 The Term 91 curtailment, as you know, that
12 curtailment is based on the supplemental storage water
13 releases that the projects do. We want to put up a
14 curve for that, so people know when that is going to be
15 anticipated.

16 We are going to be sending out a notice of
17 probable curtailment under that Term 91 condition. That
18 only affects permit and license holders post-1966.

19 CHAIR FELICIA MARCUS: What percentage of the
20 water is that?

21 JOHN O'HAGAN: It's not a large percentage of
22 water but it is a condition that the permittees and
23 licensee holders that have those will need to address.
24 I believe there is a total of 118 parties that were
25 subject to Term 91.

1 BOARD MEMBER DORENE D'AMAMO: For Term 91 for
2 quite some time, they have been notified electronically,
3 correct? Don't they have, at least, a system where they
4 know to look it up on the website?

5 JOHN O'HAGAN: There is a posting on the
6 Bureau's website that identifies the supplemental
7 project releases. We wanted to put it as a more graphic
8 display, so it makes it simpler for people to
9 understand.

10 And that is what we are going to be putting on
11 our website. So a visual graph that gives them an idea
12 of Delta conditions and then also the conditions of
13 supplemental project water storage releases. So that it
14 will be a really quick feedback. Once the supplemental
15 project water goes to positive, that means Term 91 can
16 be invoked.

17 BOARD MEMBER DORENE D'AMANO: What I was getting
18 at is -- I'm not quite familiar with exactly the
19 notification process -- but it is my understanding that
20 for awhile, it has been sort of a realtime notification
21 for Term 91, similar to where you are trying to head
22 with the curtailments.

23 JOHN O'HAGAN: No. On Term 91, we send out
24 actual mail-outs of the notices because it is such a
25 small group of the parties that get it.

1 BOARD MEMBER DORENE D'AMANO: And you are able
2 to do that within enough time to hit it, you know,
3 giving them the advantage of it?

4 JOHN O'HAGAN: Yes.

5 BOARD MEMBER DORENE D'AMAMO: So when it needs
6 to be invoked, they will --

7 JOHN O'HAGAN: But we also post it, so that it
8 shows more realtime and the graph will be updated. So
9 that is the idea to be more realtime to give the public
10 more information on that.

11 The other graphs that we will be putting up
12 shortly is a Sacramento, San Joaquin. The Scott River
13 is already up. And that is -- those are the supply and
14 demand analyses that we do for the curtailment,
15 potential curtailments. That will all be available soon
16 on the website.

17 As you know, we are migrating from 2014 to 2015,
18 and we are improving that website at the same time. We
19 did post some 2014 curtailment curves for the end of
20 lifting, when we started lifting the curtailments, to
21 give people an idea of that.

22 The next thing that happened is we released the
23 Dry Year Report on 1/30/2014 -- '15. That's the report
24 back in July of 2014 that the Board asked us to produce
25 by January 31st. And the report analyzes the Board's

1 2014 drought response, reviewed recommendations from a
2 1978 drought report, and reviewed -- and provided staff
3 recommendations for improving transparency, data
4 quality, and process for 2015 and later.

5 That report is scheduled as an informational
6 item for discussion at the Board's meeting on
7 February 17th.

8 Temporary Urgency Change Petitions filed by the
9 Bureau and the Department. We received that petition on
10 January 23rd. We had a final concurrence letter
11 received late on January 30th. The notice was sent out
12 on January 27th.

13 The Executive Director stated he temporarily
14 would not object to operations of that project in
15 accordance with the proposed TUC Petition, but that
16 temporary approval expires today and a final decision
17 should be out today.

18 And then a workshop is scheduled for
19 February 18th to receive public input on the Drought
20 Contingency Plan and on the TUC Petition. So they were
21 already scheduled for comments at that time.

22 BOARD MEMBER DORENE D'AMANO: I have a question
23 on that. And maybe Mr. Howard might want to answer it.
24 I thought that there was going to be an effort to bring
25 it to us sooner, so that for those that have concerns

1 one way or the other, that there would be an opportunity
2 to come before the Board in short order.

3 THOMAS HOWARD: Yeah. I looked into that option
4 and was trying to find other dates where we could get it
5 before the Board. But the Board's schedules and room
6 availability and other factors just seemed like it
7 wasn't going to work.

8 CHAIR FELICIA MARCUS: Did you just check that
9 our calendars had something on it? I mean, did somebody
10 ask us if there were things we could move?

11 THOMAS HOWARD: Sure. We were looking at things
12 that we could move as well. But it just looked like we
13 were not going to be able to get -- yeah, I mean, I
14 think there was one day where we could get three Board
15 members, but one was only going to be there for a couple
16 of hours. So it just didn't seem like it was going to
17 work out --

18 BOARD MEMBER DORENE D'AMANO: So I don't want to
19 go venture into any of the substance that would, you
20 know, result in an inappropriate discussion, since this
21 issue is not noticed. But considering opportunities
22 because of the storm, I mean, there may not even be an
23 opportunity to pick up some additional water -- but just
24 wondering if you took that into consideration.

25 THOMAS HOWARD: Yeah. Actually, I have taken it

1 into consideration in a couple of ways. One, the
2 opportunities that might provide for entrainment of
3 species in the Delta.

4 And, secondly, with respect to the fact that,
5 you know, I think one of the more contentious issues is
6 whether between flows of 7100 to 5500, exports should be
7 allowed to rise. But with the storm, I expect the flows
8 to be well above 7100 over the next week or two. And
9 so, therefore, it wouldn't be a factor for the next week
10 or two. It might be a factor tomorrow.

11 And so by the time it gets to the Board on the
12 18th, maybe flows will start receding by then. It might
13 start becoming a factor again after awhile. But I
14 assume the flows will be up next week and that issue
15 won't be a factor.

16 BOARD MEMBER DORENE D'AMANO: Okay.

17 JOHN O'HAGAN: Okay. The last activities: We
18 have other Urgency Change Petitions and Transfers. As I
19 mentioned in the last update, that we had two that were
20 going to be issued and they have been issued. It is the
21 Department of Water Resources Temporary Transfer. We
22 approved that on January 20th.

23 The transfer allows exchange of 5,000 acre feet
24 between the State Water Project and CVP contractors.
25 And it deals with Contra Costa Water District, Alameda

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1 County Water District and Alameda County Flood Control.

2 The other Temporary Urgency Change renewal we
3 gave was the City of Thousand Oaks, which was approved
4 on January 21st. Since that last Board update, we have
5 received two more Temporary Urgency Change renewal
6 requests. And that is from the June Lake Public Utility
7 District and then also the City of Santa Cruz.

8 Do you have any questions?

9 BOARD MEMBER STEVEN MOORE: I do recognize that
10 list of TUCPs. And I think also the last time you
11 mentioned the Sonoma TUCP. Is that right, for the
12 Russian River? Has that been processed?

13 JOHN O'HAGAN: I'll have to ask Amanda. She is
14 here. I brought her down.

15 BOARD MEMBER STEVEN MOORE: My only point is
16 that I've seen the same folks come forward, you know,
17 this year and should expect probably some other ones,
18 such as El Dorado and other --

19 AMANDA MONTGOMERY: We may see repeat customers
20 going through the same situations. With the Sonoma
21 County Water Agency, we have been closely discussing
22 their need to file a Urgency Change again.

23 They have not decided yet. They said it was
24 possible towards the end of this month, they would file
25 a request; but they are waiting to see how this storm

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plays out and how it affects their reservoirs.

BOARD MEMBER STEVEN MOORE: Right. And then they had different antecedent conditions last year versus this year. There was a lot more precipitation in December. So it is interesting to see this unfold and helping out similar communities this year.

Thank you.

JOHN O'HAGAN: Thank you.

CHAIR FELICIA MARCUS: Questions? Thank you very much. Keep up the good work.

(Whereupon, end of transcribed portion.)

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REPORTER'S CERTIFICATE

State of California)
) ss.
County of Sacramento)

I certify that the statements in the foregoing hearing were transcribed in the within-entitled cause by audio; that said hearing was taken at the time and place therein named; that the testimony of said witnesses was reported by me, a duly Certified Shorthand Reporter of the State of California authorized to administer oaths and affirmations, and said testimony was thereafter transcribed into typewriting.

I further certify that I am not of counsel or attorney for either or any of the parties to said hearing, nor in any way interested in the outcome of the cause named in said hearing.

IN WITNESS WHEREOF, I have hereunto set my hand this 28th day of August, 2015.

KATHRYN DAVIS
Certified Shorthand Reporter
Certificate No. 3808

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